

TOWN OF LA POINTE

Draft Minutes -- Regular Town Board Meeting

Tuesday October 14, 2008, 5:30 pm

Amended Agenda – *Amended Items Italicized and Underlined*

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

Called to order at 5:36 P.M by Chairman Greg Nelson

1. Public Comment

Charlie Brummer does not want Big Bay Town Park to subsidize other town parks

Paul Brummer wants no day admission charge.

Reads Letter from Beth Alsgaard opposed to Appointed Clerk Referendum

Burke Henry is pleased that the state has provided some funding for the bike trail, but would like to know where the matching funding is coming from.

2. Vouchers

Mike Starck moves – Ric Gillman seconds – to approve voucher totaling \$469,792.27. Motion Carries -- 5 ayes

3. Alternative Claims

Mike Starck moves – Ric Gillman seconds – too approve alternative claims of \$72,543.27. Motion Carries -- 5 ayes

4. Treasurer's Report

Jim Patterson moves – Ric Gillman seconds – To approve and place the report, dated 9/30/08 showing a balance of \$1,316,083.33 with an available checking amount of \$224,144.89, on file – Motion Carries -- 5 ayes

5. Public Works

A. MRF

I. MRF Supervisors Report

Jim Patterson moves – Ric Gillman seconds – To approve and place the report, dated 10/13/08, on file – Motion Carries -- 5 ayes

B. Roads

I. Town Foreman's Report

Mike Starck moves – Ric Gillman seconds – To approve and place the report, dated 9/6/08 to 10/10/08, on file – Motion Carries -- 5 ayes

II. Rice Street Extension Sanitary Sewer and Forcemain Design -- REI Engineering, Inc.

Ric Gillman questions cost.

Jim Patterson – expensive, but if it leads to affordable housing it will be o.k.

Ric Gillman – Extension needs a public hearing because of a \$250,000 cost overrun.

Greg Nelson feels the cost overrun is inflated, Keith Sowl, Town Foreman says that it might not be that inflated.

III. Rice Street Status

DOT turned down request for more funding for the project.

IV. Ron Lacy Special Assessment process

Consensus that this is acceptable. Keith Sowl, Town Foreman, will proceed.

V. Concept approval for road vacation and parking plan for Main Street's Pub corner

Long discussion. Bob Hartzell is not happy with the terms that were worked out and would like a change. He will be at the next LaPointe Town Board Meeting to discuss with a MIYC representative, also. Three way agreement is needed.

C. Parks

I. Privatizing the running and management of Big Bay Town Park

Beth Fischlowitz wants it clear the she did not use the word “privatizing”, it would not be her style. Speaks of taking reservations on the Web Site.

Ric Gillman – Revenues would increase with the reservation system

Jim Patterson would like a transition period – part reservation and part first come-first serve.

Beth Fischlowitz suggests that the park needs to be monitored – that some people are staying there without paying.

II. Approval for expansion of boardwalk and lookout deck for Capser Trail

Ric Gillman moves – Beth Fischlowitz seconds – to approve the of boardwalk and lookout deck for Capser Trail – Motion Carries -- 5 ayes

D. Harbor

Not Discussed

6. Police.

A. Police Chief's Monthly Report.

Mike Starck To approve and place the report, dated 10/9/08, on file – Jim Patterson seconds – Motion Carries -- 5 ayes

Mike Starck moves -- to publish DOT rules on non-standard vehicles to the Island Gazette – Ric Gillman seconds –

Motion Carries -- 5 ayes. Mike Starck to present to Gazette.

7. Emergency Services

A. Ambulance Director's monthly report

Mike Starck moves – Ric Gillman seconds – To approve and place the report, dated 10/12/08, on file – Motion Carries -- 5 ayes

8. Committees

A. Zoning

I. Zoning Administrator Report

Mike Starck moves – Jim Patterson seconds – To approve and place the report, dated 10/14/08, on file – Motion Carries -- 5 ayes

II. Monthly report from Town Plan Commission

Carl Broberg: Input from public hearing and proposed changes to be addressed at tomorrow's meeting, also setbacks and other issues regarding grandfathered lots.

III. Report: ~~from Mike Starck on his~~ progress on inter-municipal agreement with Ashland County Board

Mike Starck expresses wonder that his name has been dismissed as the reporter, and states the Ashland County approved \$15,000 for next year.

IV. Petition presented at Town Plan Commission meeting of 10-01-08 – Reduce Town Plan Commission from a 7 member board to a 5 member board.

Mike Starck explains that if they lower the size of the Town Plan Commission to 5, terms would simply not be filled after they expire.

Posting is suggested to find out if people would be interested in serving if the membership was lowered to 5.

Ric Gillman would like to find the motivation for the petition. He expresses that they would be losing two people with great expertise.

(Lois Carlson and Suellen Soucek term are up in 2009)

Poster unknown at this time, probably a zoning person.

V. Jessica Hatch job description

Not Discussed

VI. Outside contractor for Zoning Rewrite

Beth Fischlowitz, after talking it over with some people, wishes that she had never brought this up. Matter dies.

VII. ~~Ryder, James and Ryder, Elizabeth: Certified Survey Map re: parcels 014 00118 1400, 014 00118 1600, and 014 00118 1800 at Big Bay Road and Snowplace Road Sec 21 T50N R3W~~

VII. Joint meeting/Burke's letter re: public hearing

Long discussion. Some topics:

People are misinterpreting the Town Plan Commission proposal.

Comprehensive plan is black and white

Burke Henry: the density issue was not well thought out by CAPP, will report more on this.

more to come

B. CAPP

Not Discussed

C. Winter Transport

Not Discussed

9. Approval of Minutes

RTBM 9-23-08

Mike Starck moves – Beth Fischlowitz seconds – To approve as submitted – Motion Carries -- 5 ayes

STBM MRF Employee Review -- 9-23-08

Ric Gillman suggests that the header be changed to designate an STBM. Agreed. mv moves – Ric Gillman seconds – To approve as amended – Motion Carries -- 5 ayes

10. Town Hall Administration

A. Resolution #2008-10-14 – Appoint Election Inspectors

Mike Starck Moves – Ric Gillman Seconds – to approve Resolution #2008-10-14 -- Motion Carries -- 5 ayes

B. Budget Amendment Resolution #2008-02

Mike Starck Moves – Jim Patterson Seconds -- Budget Amendment Resolution #2008-02

-- Motion Carries -- 5 ayes

C. Attachment "B" to 2008 Wage Resolution #2007-1210

Mike Starck Moves – Ric Gillman Seconds – to approve Attachment "B" to 2008 Wage Resolution #2007-1210 --

Motion Carries -- 5 ayes

D. Discussion: eco-municipality

Town of La Pointe was favorably mentioned in Alliance for Sustainability Newsletter.

E. Request from Alternative Energy Committee for Authorization to write and enter into Grant agreements.

Mike Starck Moves – Jim Patterson Seconds – to authorize Town Chair to sign Authorization -- Motion Carries -- 5 ayes

F. AEC request to authorize contract with Seventh Generation Energy Systems of move MET Tower

Mike Starck Moves – Jim Patterson Seconds -- to authorize contract with Seventh Generation Energy Systems of move MET Tower -- Motion Carries -- 5 ayes

11. Future Agenda Items

Hartzell Parking – Petition – Communication and Protocol on Legal Issues – Ron Lacey assessment – Linda Kunelius visit on November 25, LaPointe Town Board Meeting

12. Lawsuits and Legal Issues

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

Not Discussed

B. Case Number 08 CV – 109, Winston et al vs. Town of LaPointe

Memo about Old Fort Road turning away from the lake and toward Capser Trail from the inception of Old Fort Road. Board members express doubt as this was farmland, and farms got water from the lake.

C .08 CV-112 -- Sara Owen and Paul Brummer suit Regarding Craftivity C.U.P.

Scheduling Conference at 9 a.m. on November 17 with Greg Nelson, Fauerbach, and Atty. for Brummer and Owen..

14. Adjourn

Mike Starck moves – Beth Fischlowitz seconds – to adjourn – Motion Carries -- 5 ayes – 8:10 p.m.