

# Revised Agenda -- TOWN OF LA POINTE

Tuesday, November 25, 2008, 5:30 p.m. Regular Town Board Meeting

*Revised Items Italicized and Underlined*

**DRAFT**

Called to order at 5:35 P.M by  
Chairman Greg Nelson

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

Special Item A: Discussion with Bayfield School Administration regarding school budget, school tax levy

Linda Kunelius presents: The La Pointe portion of the levy has gone from 51% to 49%. The District may be losing enrollment and grant support. Fuel costs were out of control last year, but seem to be going down now. Retirement investments are secure in trust. She delivers a Management report to the LaPointe Town Board.

## 1. Public Comment

Greg Thury, Jessica Hatch, Meg Brown, and Judy Patterson all have letters that are read to the board. Madeline Karawlski speaks. All agree that the exchange is an important center of the community, and all volunteer to help. Carol Neubauer speaks about her displeasure that the trees cut by the Airport Manager are still lying down on her property.

## 2. Vouchers

Mike Starck moves -- Jim Patterson seconds -- to approve vouchers totaling \$32,817.74 -- Motion Carries -- 4 ayes

## 3. Public Works

### A. Airport

#### I. Airport Manager Monthly Inspections

Jim Patterson moves -- Beth Fischlowitz seconds -- to approve inspection reports for 2008 dated 2, 9 and 16 of November; 5, 12, 19, 26, of October -- Motion Carries -- 4 ayes

#### II. Michael Dalzell, Airport Manager's memo of November 11, 2008

Appreciation expressed by board. Mike Starck moves -- To approve and place the reports, dated 11/11 /08 and 11/25/08, on file -- Motion Carries -- 4 ayes

### B. Roads

#### I. Rice Street Extension Status

Keith Sowl, Town Foreman, expresses disappointment in the postponement of the project.

#### II. Ron Lacy Garage in Platted Road -- request for vacation of Seventh Street

It is noted that the road is oddly platted at 20'. Consensus: put it on the vacancy list and give him the property under the structure.

#### III. Input for Wisconsin DOT--*Connections 2030*

Regional projects are discussed. Beth Fischlowitz will put something together on harbors and get it to Keith.

### C. Harbor

Beth Fischlowitz reports that ballast water restriction legislation has been upheld in Michigan.

### D. Parks

I. Cost Share Agreement with Ashland County Land and Water Conservation Department (LCD) for North Shore Park Trail

Mike Starck moves -- Jim Patterson seconds -- to authorize Town Chair to sign the Cost Share Agreement with Ashland County Land and Water Conservation Department (LCD) for North Shore Park Trail -- Motion Carries -- 4 ayes

#### E. Special MRF Item: Discuss exchange issues.

It is discussed that there seem to be problems keeping it clean and organized. Some people leave non working junk in the exchange. Greg Nelson suggests moving the exchange to a smaller, heated building. Mike Starck points out that Keeping up Exchange is in the job description of the employees.

Jim Patterson moves -- Beth Fischlowitz seconds -- to direct Mr. Pallas to identify safety, logistic and cost concerns related to the recent ant curren use and conditions of the Exchange, and that a feasible plan be devised with LaPointe Town Board and public input to resolve concerns related to the use, misuse, and function of the exchange -- Motion Carries -- 4 ayes .

## 4. Library

### A. Library Board's Monthly Minutes

Jim Patterson moves -- Beth Fischlowitz seconds -- To approve and place the report, dated 10/13/08, on file -- Motion Carries -- 4 ayes

## 5. Emergency Services

### A. Fire Chief's monthly Fire Dept. Report

Jim Patterson moves -- Mike Starck seconds -- To approve and place the report, date stamped 11/24/08, on file -- Motion Carries -- 4 ayes

### B. Fire Department By-Laws

All LaPointe Town Board members now have copies.

C. Semi Annual Fire Inspections

Mike Starck moves – Beth Fischlowitz seconds – To approve and place the inspection report, dated June 2008, on file – Motion Carries -- 4 ayes

**6. Committees**

A. CAPP

Not Discussed

B. Zoning

I. Zoning Administrator Report, not submitted for 11/11/08

Will be submitted at first RTBM in December

II. Adopt, Reject, or discuss Recommended Zoning Ordinance Changes from Town Plan Commission

a. CUP's

Larry Whalen, Clerk of La Pointe, is directed by the town board to forward and communicate on both the CUP and Home occupation opinions to Attorney Anich for review. It is a Town Board Matter now. Consensus of the board

b. Home Occupation

III. Michael Childers resignation from Town Plan Commission

Mike Starck moves – Jim Patterson seconds – to accept Michael Childers resignation from Town Plan Commission – Motion Carries -- 4 ayes

IV. Gene Nelson Complaint against the Town Plan Commission decision on Brummer Gas

A small amount of discussion, indicating that the Zoning Board of Appeals is the appropriate body to be deciding this.

V. Carl Broberg, Town Plan Commission Chair, response to Gene Nelson Complaint

Addressed above.

VI. Charles Meech correspondence about Commercial Inspection

Jim Patterson reports that he conversed with Jim Price of Alder Engineering and proceeds to address some of Mr. Meech's concerns. Summary of Mr. Patterson's points:

- If Mr. Meech would like a refund of his \$1300 he should ask CNS Design and Engineering for this refund, because the town has seen none of it.
- We do have a contract with Jim Price – he may provide services outside of UDC.
- In October of 2007 the Town notified the Wisconsin Department of Commerce and passed an ordinance giving Jim Price full authorization to enforce commercial code.
- Mr. Price indicated that there may be some problems in the plans submitted, to wit, discrepancies and fire suppression plans.

Mike Starck would like Mr. Meech to know that he can always appeal to the state.

VII. Two Town Plan Commission Member Postings

Not Discussed

VIII. Town Plan Commission member posting – Resignation of member with term ending 4-30-08. -

Discuss Waggle's Memo of Nov. 12-08 – Discuss/Appoint any applicants

Agreed: Deadline should be December 9<sup>th</sup>, and the Letter of interest should be included.

C. Alternative Energy

I. Land Use agreement with WI. DNR for Tower at State Park

Mike Starck moves – Beth Fischlowitz seconds – to authorize Town Chair to sign Land Use agreement with WI. DNR for MET Tower at State Park

**7. Approval of Minutes**

RTBM 10-28-08

Sent Back for revision

RTBM 11-11-08

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

**8. Town Hall**

A. Administrative Assistant Report

In answer to the change in the Fire Chief status, this shall begin January 1, 2009, and the assistant position is eliminated as of that date. Mike Starck moves – Beth Fischlowitz seconds – To approve and place the report, dated November 08, on file – Motion Carries -- 4 ayes

B. MICC – report to town

Not Discussed

C. Rev. Marina Lachecki request for dialog on possible event/discussion/powwow - Sept, 2009

Reverend Lachecki is looking for a resolution in support.

D. Contract between Brummer Co. and Town of La Pointe for LP gas.

Beth Fischlowitz moves – Jim Patterson seconds – to authorize Town Chair to sign the contract – Motion Carries -- 4 ayes

F. 2009 Budget Discussion

A \$445,000 school credit is mentioned, which could lower the town's levy somewhat.

G. 2009 Fee Schedules

Not Discussed

#### **9. Future Agenda Items**

2009 Fee Schedules

Handicap Parking on Dock

Town Plan Commission appointments

Exchange Discussion with Ted Pallas

Alan Fischlowitz resignation from Winter Transportation Committee

#### **10. Lawsuits and Legal Issues**

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

Not Discussed

B. 08 CV-109, Winston et al vs. Town of LaPointe

Still some question about old maps

C .08 CV-112 -- Sara Owen and Paul Brummer suit regarding vs.Town of LaPointe and Craftivity C.U.P.

#### **11. Adjourn**

Beth Fischlowitz moves – Jim Patterson seconds – to adjourn – Motion Carries -- 4 ayes – at 8:05 p.m.