

Draft Minutes – TOWN OF LA POINTE

Regular Town Board Meeting – Amended Agenda

Tuesday January 13, 2009, 5:30 pm At the La Pointe Town Hall

Present: Mike Starck, Jim Patterson, Greg Nelson, Ric Gillman, Beth Fischlowitz
Called to order at 5:30 P.M by Chairman Greg Nelson

1. Public Comment

Keith Sowl speaks in support of renaming the Clinic the Agee Health Clinic.

Warren Anderson does not like naming buildings for people – a lot of people have helped the Clinic. Wonders what happened to the previous harbor committee. Wonders if the money was ever collected for moving of the Windsled Shelter building and where the money is.

2. Vouchers

Mike Starck moves – Ric Gillman seconds – to approve vouchers of \$815,334.78 – Motion Carries -- 5 ayes

3. Alternative Claims

Mike Starck moves – Ric Gillman seconds – to approve alternative claims of \$103,379.86 – Motion Carries -- 5 ayes

4. Treasurer's Report

Jim Patterson moves – To accept and place the report, dated 12/31/008 showing a balance of \$1,939,724.57 and a checking balance of \$5,571.80, on file – Motion Carries -- 5 ayes

Mike Starck moves – Ric Gillman seconds – to move to item 10-C – La Pointe Community Clinic item – Motion Carries -- 5 ayes

5. Public Works

A. MRF

I. MRF Supervisors Report

Jim Patterson moves – Ric Gillman seconds – To accept and place the report, dated 1/9/08 (Discussion: actually for 1/9/09), on file – Motion Carries -- 5 ayes

Ric Gillman requests memo be sent to Ted Pallas, MRF supervisor, that status of Exchange be included in report as well as a formal proposal for compactor which has been budgeted for.

B. Roads

I. Town Foreman's Report

Mike Starck moves – Jim Patterson seconds – To accept and place the report, dated 12/6/08 to 1/7/09, on file – Motion Carries -- 5 ayes

II. Rice Street Extension Status

Discussion leading to the generally agreed desire for defined standard for a La Pointe Road in the form of an ordinance. Keith Sowl, Town Foreman to work on this

Keith will try to get a public hearing on Snowplace Road by April

C. Parks

I. Not Discussed

D. Harbor

I. Discuss Committee Formation

Beth Fischlowitz to put together a little promo material about what a good committee this would be to serve on. Consensus is to post for members.

II. Harbor Assistance Program Notice

Harbor Assistance Program has exceeded funding abilities this year and is accepting no more applications. Beth Fischlowitz is interested in looking at Boating Information Grant Program, funded by Fish & Wildlife – could help make our area more accessible to boaters.

6. Police.

A. Police Chief's Monthly Report.

Mike Starck moves – Beth Fischlowitz seconds – To accept and place the report, dated 1/2009, on file – Motion Carries -- 5 ayes

7. Emergency Services

A. Ambulance Director's monthly report

Jim Patterson moves – Ric Gillman seconds – To accept and place the report, dated 12/01/08 to 12/31/08, on file – 4 aye, one member visiting another room momentarily.

8. Committees

A. Zoning

I. Zoning Administrator Report

Not available due to end of year reporting time constraints.

II. Monthly report from Town Plan Commission

Mike Starck speaks of public hearing coming up January 21, and a Map Change and a Text change February 18.

III. Clarification of long-term rental/housing for -- Town should encourage long-term rentals

Greg Nelson indicates that long term rental should be exempt from fees. Jen Croonborg, Zoning Administrator will research Health and Human Services requirements.

Ric Gillman feels that this should be addressed by the Town Plan Commission. Greg Nelson disagrees and suggests that there may be some liability to town if a fee is collected from a dwelling rather than a short-term rental business.

IV. Gene Nelson report on Department of Commerce information requests he made

Greg Nelson indicates that this is an informational item only.

VI. Gene Nelson request for refund of \$500 fee for appeal

Mike Starck moves – to authorize return of \$500 to Gene Nelson – Ric Gillman seconds

Febrile discussion – Beth Fischlowitz repeating several different ways that the pronouncement of untimeliness was a result of the appeal, and Greg Nelson countering that if the appeal were untimely, the board should never have met. Several board members recall sending Gene Nelson on his fruitless quest to the Zoning Board of Appeals.

Motion Carries -- 5 ayes

VII. Discussion of James Price/Alder Engineering/Craftivity

Beth Fischlowitz runs through a timeline of documentation about the Town's relations with Alder Engineering, asks if Town did not need an Addendum according to the Contract signed with Mr. Price. Greg Nelson indicates that the resolution appointing Mr. Price and notification to the State should be enough documentation. Board members who were on the board at the time recall the intent of providing a service to commercial developers in La Pointe. Jim Patterson will get fee schedule from State and Alder Engineering in order to make sure they synchronize.

VIII. Annual Zoning Administrator Report – Town

Mike Starck moves – Beth Fischlowitz seconds – To accept and place the report, dated 1/9/09, on file – Motion Carries -- 5 ayes

General praise for the report being well organized and informative.

IX. Annual Zoning Administrator Report – County

Mike Starck moves – Jim Patterson seconds – To accept and place the report, dated 1/2/09, on file – Motion Carries -- 5 ayes

B. CAPP

Not Discussed – nothing available

C. Winter Transportation Committee

I. Correspondence between Burke Henry, Chair of WTC, and Linda Kunelius, Superintendent of Bayfield Schools
Burke Henry states that there has been no further correspondence, but that apparently the Bayfield School Board is a little put out that the Winter Transportation Committee is worried about small children riding unescorted, in sub-zero weather, across a heaved and partially frozen lake, in a flat-bottomed boat, 8 feet from an airplane engine. Apparently the School District is talking about buying its own windsled or hovercraft in order to transport children. They were also confused by Barb Nelson's financial report.

II. WTC Easement with Evan Erickson

Mike Starck moves – Ric Gillman seconds – to authorize Town Chair and Clerk to sign WTC Easement with Evan Erickson – Motion Carries -- 5 ayes

D. Alternative Energy (Subcommittee of CAPP)

I. Duluth Superior Area Community Foundation Grant Agreement

Mike Starck moves – Jim Patterson seconds – to authorize Town Chair to sign Duluth Superior Area Community Foundation Grant Agreement – Motion Carries -- 5 ayes

E. Celebrations Committee Appointment(s)

Mike Starck moves – Ric Gillman seconds – to appoint Jay Westfield to the Celebrations committee.
Motion dies.

Mike Starck moves – Beth Fischlowitz seconds – to extend posting date to March 9-2009 – Motion Carries -- 5 ayes

9. Approval of Minutes

RTBM 12/23/09

Mike Starck moves – that draft be updated with change and represented. Ric Gillman seconds – Motion Carries -- 5 ayes

STBM 10/13/08

Add "In Attendance"

STBM 10/16/08

Add "In Attendance"

STBM 10/23/08

Add "In Attendance"

STBM 10/30/08

Add "In Attendance"

STBM 11/10/08

Mike Starck moves – Beth Fischlowitz seconds – To accept as submitted – 4 aye, one abstain.

STBM 11/05/08

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

10. **Town Hall Administration**

A. Process for handling and tracking long-term and complex documents over time, for example, the Comprehensive Plan.

Beth Fischlowitz indicates that everything seems to be flowing well. After some discussion, it is discovered that documents corresponding to tabled items have not been marked "Tabled", and will be in the future.

B. Agreement for Audit, year ending 12/31/08 with Maitland, Singler & Van Vlack.

Mike Starck moves – Ric Gillman seconds – to authorize Town Chair to sign Agreement for Audit, year ending 12/31/08 with Maitland, Singler & Van Vlack. – Motion Carries -- 5 ayes

C. La Pointe Community Clinic request to change name of the "Health Center Building" to the "Agee Health Center Building"

Greg Nelson – has heard the benefactor would welcome the honor

Discussion: Agee has contributed greatly to improvements and sustenance of the Island.

Ric Gillman moves – Beth Fischlowitz seconds – to designate Health Center Building" as "Agee Health Center Building" Motion Carries -- 5 ayes

D. La Pointe Town Website: a) schedule, b) status, c) outstanding problems, d) other issues.

Ric Gillman reports that the mock up is done and will meet with the designer at 11 a.m. on Friday. STBM to be posted -- No motions, no business conducted

11. **Future Agenda Items**

Long-term Rental, Website, Fee Schedule, 12-23-minutes, STBM 10/13/08, STBM 10/16/08, STBM 10/23/08, STBM 10/30/08 minutes, Fee Schedule Commercial,

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

I. Appoint LaPointe Town Board member to represent Town at mediation.

Mike Starck moves – Ric Gillman seconds – to appoint Greg Nelson to represent Town at mediation – Motion Carries -- 5 ayes

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

Not Discussed

14. **Adjourn**

Ric Gillman moves – Jim Patterson seconds – to adjourn – Motion Carries -- 5 ayes – adjourned at 7:48 p.m.