

TOWN OF LA POINTE

Regular Town Board Meeting –Agenda

February 10, 2009, 5:30 pm At the La Pointe Town Hall

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

Called to order by Chairman Greg Nelson at 5:30 p.m.

1. Public Comment

Charles Meech wants town officials to meet with State Commercial Inspection officials. It looks as though he will get his wish.

2. Vouchers

Mike Starck moves – Ric Gillman seconds – to approve vouchers totaling \$49,538.61 – Motion Carries -- 5 ayes

3. Alternative Claims

Mike Starck moves – Beth Fischlowitz seconds – to approve alternative claims totaling \$50,688.82 – Motion Carries -- 5 ayes

4. Treasurer's Report

Not Discussed Not presented until next meeting.

5. Public Works

A. MRF

I. MRF Supervisors Report

Mike Starck moves – Jim Patterson seconds – To accept and place the report, dated 2/7/09, on file – Motion Carries -- 5 ayes

II. Compactor Proposal MRF

Greg Nelson has spoken with Ted Pallas, MRF supervisor, and finds that the budgeted amount is very close to the bid amount. Ted will be submitting Purchase Order next week.

B. Roads

I. Town Foreman's Report

Mike Starck moves – Jim Patterson seconds – To accept and place the report, dated 1/9/09 to 2/6/09, on file – Motion Carries -- 5 ayes

II. Gene Nelson Letter presented at last RTBM meeting -- MIHPA shared driveway

Beth Fischlowitz:: There is some history suggesting that the road may have been opened, but nothing conclusive. MIHPA wants to be on own property. Beth Fischlowitz points out that if there is no civic activity on a road for 40 years the adjoining owners may vacate the road, and if it is used as a driveway for 20 years a road becomes the property of the user. The town did provide a culvert for this driveway.

III. Town Road Standards

Not Discussed

IV. Hire Road Crew Mechanic

Keith Sowl, Town Foreman recommends Scott Grabarek to start at \$16 per hour. Mike Starck moves – Beth Fischlowitz seconds – to hire Scot Grabarek as Road Crew Mechanic at \$16 per hour, Full Time, 90 day review, with a May 1 deadline for a CDL.

V. Rice Street Extension draft sewer plan

Greg Nelson has no problem with it.. it is not being approved, simply informational.

VI. Joe Floyd's request to use portion of platted, unopened Herring Street.

Beth Fischlowitz moves – to allow the Floyd family to use 20' Right of Way on unopened section of Herring Street – Ric Gillman seconds – Motion Carries -- 5 ayes

VII. Road Vacation process update and MIYC/Hartzell/Town agreement

Greg Nelson what appears to have been a done deal has been moved back. Greg Nelson indicates that if MIYC and Hartzell don't come to agreement, then he is happy to continue with the status quo.

Ric Gillman would like to emphasize what has been a agreed on – the transfer of land – ratification of vacation of 17th street – Septic odor abatement – Storm sewer outfall. All agree. MSD will write letter to MIYC on septic issue.

C. Parks

Not Discussed

D. Harbor

I. Discuss Committee Formation

Posted until March 9 – two volunteers already.

6. Police.

A. Police Chief's Monthly Report.

Jim Patterson moves – Ric Gillman seconds – To accept and place the report, dated 2/5/09, on file – Motion Carries -- 5 ayes Ric Gillman mentions that he was stopped on the ice road – wonders if this is proper. Greg Nelson will as Chief Anderson about this. Mike Anderson, Police Chief is drafting an ordinance on accidental alarms.

7. Emergency Services

A. Ambulance Director's monthly report

Ric Gillman moves – Jim Patterson seconds – To accept and place the report, dated 2/8/09, on file – Motion Carries --
5 ayes

8. Committees

A. Zoning

I. Zoning Administrator Report

Mike Starck moves – Ric Gillman seconds – To accept and place the report, dated 2/10/09, on file --

II. Discussion of James Price/Alder Engineering/Craftivity

Henry K, associated with the State Commercial Inspections, will attend a meeting with LaPointe Town Board members, James Price of Alder Engineering, and Charles Meech in order to dampen allegations.

III. Recommendation for Approval by the TPC re: Petition for a Zoning Map Change by Jim Ryder and Elizabeth Ryder at land parcel #s 014-00118-1400, 014-00118-1600, 014-00118-1800 located adjacent to the intersection of Big Bay Road and Snow Place Road

Mike Starck indicates that the LaPointe Town Board may vote before a 30 waiting period for complaints is up, because the Town Plan Commission recommends, it does not decide, on a map change.

Joe McCarthy asks if that means that there is not local appeal process. Mike Starck: that is correct, a recommendation is not appealable.

Ric Gillman moves – Jim Patterson seconds – to approve Recommendation for Approval by the TPC re: Petition for a Zoning Map Change by Jim Ryder and Elizabeth Ryder – motion fails. 3 nay and two aye.

Explanations later

IV. Discussion/Possible Approval of latest Version of Zoning Revision

Agenda Item to vague to vote on. Next meeting

V. James Price/Alder Engineering Addendum Delineating Fee Schedule for Commercial Inspections

Greg Nelson was always under the assumption that the Resolution was the addendum, but is fine voting for this.

Jim Patterson moves – Ric Gillman seconds – to authorize Town Chair to sign Alder Engineering Addendum Delineating Fee Schedule for Commercial Inspections, and to add it to the Resolution dated Oct 1, 2007.

B. CAPP

I. Alternative Energy

Not Discussed

C. Winter Transportation Committee

I. Correspondence between Burke Henry, Chair of WTC, and Linda Kunelius, Superintendent of Bayfield Schools

Greg Nelson reports that this process is going a little smoother.

D. Celebrations Committee Appointment(s)

no signatories.

9. Approval of Minutes

RTBM 1-13-09

Sent back for revision

STBM 2/3/09 1:p.m.

Not distributed

10. Town Hall Administration

A. Personnel Policy Issue, Leave of Absence

Beth Fischlowitz moves – Ric Gillman seconds – to accept Barb Nelson's new form for requesting Leave of Absence or time off – Motion Carries -- 5 ayes

B. La Pointe Town Website: Update

Ric Gillman moves – to have two LaPointe Town Board members to meet with Larry Whalen to draft contract with to present to LaPointe Town Board at next meeting for chair to sign – Jim Patterson Seconds – motion carries -- 5 ayes

C. 2008 Monthly budget

Mike Starck moves – Beth Fischlowitz seconds – To accept and place the report, dated 2/6/09, on file – Motion Carries -- 5 ayes

D. 2008 Budget Amendment #2008-05

Mike Starck moves – Ric Gillman seconds – to authorize Town Chair to sign 2008 Budget Amendment #2008-05 – Motion Carries -- 5 ayes

11. Future Agenda Items

Resolution #09-0224 Vacation of a Public Street

Directive – Ric Gillman attorney protocol

Minutes 1-27

Zoning Revision

Update Zoning Fee Schedule

12. Lawsuits and Legal Issues

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

Not Discussed

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

Not Discussed

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

The case is moving along – we did receive communication from Atty. Fauerbach.

14. **Adjourn**

Beth Fischlowitz moves – Ric Gillman seconds – Motion Carries -- 5 ayes