

**DRAFT MINUTES
REGULAR TOWN BOARD MEETING
April 28, 2009
At 5:30 at Town Hall**

Called to order at 5:32

Members Present: Beth Fischlowitz, Ric Gillman, Greg Nelson, Ham Ross, Larry Whalen

1. Public Comment

A. Timothy Eldred

1. Supports the compost proposal on this agenda.
2. Proposes that the Town Plan Commission would profit from some new

members.

B. Madeline Karwoski spoke about the Guest House issue on the agenda: she supports allowing Islanders to rent their guest houses as this provides Islanders with income. Regarding population density, she also feels that most guest houses are already built, so density would not be affected.

C. Warren Anderson renews his request for the Town to reconsider sidewalk placement.

D. Gary Russell spoke to the guest house ordinance: he feels that guest houses provide Islanders with a way to make a living while also providing year-round residents with affordable housing. He feels that if the owner lives on the property, one guest house should be allowed—both occupied year-round, and he feels the Town should “grandfather” the ones already in use.

2. Vouchers

Motion to approve vouchers in the amount of \$20,687.94. Motion by Ham Ross; 2nd by Ric Gillman. 5 ayes. Motion carried.

3. Public Works

A. Parks

1. Hire part-time/seasonal employee Motion to hire Leo Davis as a Park Ranger at a salary of \$13.53 an hour for 1040 hours or less starting April 27. Motion by Ric Gillman; 2nd by Ham Ross. 5 ayes. Motion carried.

2. Ashland County Forest Invasive Species Action Plan. The will of the Board is to have this Plan posted on the Town website.

B. MRF

1. Requested Composting Site at MRF. Motion to approve the compost site as presented in the proposal from Tab Butler. Motion by Beth Fischlowitz; 2nd by Ham Ross. 5 ayes. Motion carried.

2. Vehicle Removal—W.E. It is the will of the Board that this effort be continued. Ham Ross will talk to Ted Pallas about contacting the company.

C. Roads

1. Liquefied Petroleum Gas Purchasing. The current contract expires June 30, 2009. The consensus of the Board was to investigate the cost of purchasing tanks. Keith Sowl will research this.

2. Road Dept. Equipment Purchasing Motion to approve the purchase of a used 120C John Deere excavator and SD45D Ingersoll rand 54' compactor (total purchase price \$106,500) with a two-year payment plan. Motion by Ric Gillman; 2nd by Larry Whalen. 5 ayes. Motion carried.

3. CED Document 2008 Completed & 2009-2012 Listing. Motion to approve the CED's list as presented. Motion by Ric Gillman; 2nd by Beth Fischlowitz. 5 ayes. Motion carried.

4. Becher-Hoppe Proposal for Bid Documents:

a. Rice St. TRIP-D (Big Bay Rd. to Middle Rd.)

b. Remainder of Town Paving Projects

Motion to direct the Town Chair to sign these documents and send to Becher-Hoppe. Motion by Beth Fischlowitz; 2nd by Ric Gillman. 5 ayes. Motion carried.

5. Road Vacation (portion of Main St. & easement) Ric Gillman will be dealing with this.

6. Directional Signs for Downtown Area—fabricate/install Two proposals received. Motion to accept the proposal from Ham Ross Construction. (Due to smaller cost and the fact that posts are provided in this proposal). Motion by Beth Fischlowitz; 2nd by Ric Gillman. 4 ayes; 1 abstain. Motion carried. Keith Sowl suggests holding off on installation till the sidewalks are complete.

7. Hire Temporary Truck Driver Motion to hire William Hagen at a salary of \$15 an hour for not more than 600 hours for the 2009 construction season. Motion by Ham Ross; 2nd by Ric Gillman. 5 ayes. Motion carried.

D. Harbor Beth Fischlowitz reports that the committee will be setting up meeting dates and forming a mission statement.

E. Airport

1. Airport Manager Weekly Inspection Motion to accept & place on file the Airport Manager's Checklists dated March 22, March 29, April 5, April 12 and April 19, 2009, as submitted. Motion by Ric Gillman; 2nd by Beth Fischlowitz. 4 ayes; 1 abstain. Motion carried.

2. Airport Projects The Airport Manager has a tentative timeline of airport closures due to construction. When this timeline is firm, it will be posted at the airport and on the Town website. Since the project has to be coordinated with the larger paving project, there will be some inconvenience; however, the Town will seek to mitigate this as much as possible.

3. Crushed Aggregate re-imburement w/WI BOA The Airport manager reports that the BOA has issued a check for this.

4. Hangar Lease compensation/payment Gene Nelson #9A Motion to forgive Mr. Nelson's past due lease fees due to the hardship suffered by him and to waive his lease fees (approximately \$2500) until such time as the water problem has been fixed. Motion by Ric Gillman; 2nd by Ham Ross. 4 ayes; 1 abstain. Motion carried.

5. Snow Removal Equipment (SRE) Bldg. Contract Completion date & building issues. The will of the Board is to endorse the liquidated damages sited in a communication from the BOA and Cooper Engineering (date stamped April 23, 2009).

F. Cemetery Motion to drop the fee for internment by \$100 with a commensurate drop in the sextant's remuneration. (The current charge is \$900; it will be \$800.) Motion by Ham Ross; 2nd by Ric Gillman. 5 ayes. Motion carried.

4. Library

A. Library Board's Monthly Report. Motion to accept & place on file the monthly report of the Library Board dated March 9, 2009. Motion by Ric Gillman; 2nd by Beth Fischlowitz. 5 ayes. Motion carried.

5. Emergency Services

A. Fire Chief's Monthly Fire Dept. Report. Motion to accept & place on file the monthly Fire Dept. Report for the month of April. Motion by Ham Ross; 2nd by Ric Gillman. 5 ayes. Motion carried.

6. Committees

A. Zoning

1. Ordinance Amending the Official Zoning Ordinance (Guest House) Ham Ross reads the document into the record. Beth Fischlowitz, Ric Gillman, Greg Nelson sign. Ham Ross & Larry Whalen decline to sign.

2. Michael Starck resignation from Town Plan Commission for term ending April 30, 2010. Greg Nelson points out that according to the Wisconsin Towns Association there is no legal requirement to accept the resignation. Motion to accept Michael Starck's resignation. Motion by Ham Ross; 2nd by Larry Whalen. 5 ayes. Motion carried.

3. Possible Appointment of Town Board Member to TPC. [Greg Nelson speaks in response to recent public support for changing from a 7-member TPC to a 5-member TPC: Because this change requires a text change in the ordinance, and because this is a very lengthy process, it will not be possible to make a change before next year. Current terms are up on April 30, 2009, and the steps in the process cannot be accomplished before this time.] Larry Whalen agrees to serve on the TPC.

4. Fill vacant position for term ending April 30, 2010. Motion to recommend that the Chair appoints Larry Whalen to fill this term. Motion by Greg Nelson; 2nd by Beth Fischlowitz. 4 ayes; 1 abstain. Motion carried.

5. Appointment of Town Plan Commission members for term ending April 30, 2012. Beth Fischlowitz recommends reseating the currently sitting members for the sake of continuity. Motion to appoint Suellen Soucek and Greg Thury to the TPC. Motion by Beth Fischlowitz; 2nd by Ric Gillman. 5 ayes; Motion carried.

6. Discussion of elapsed time between proposed zoning ordinance changes and proposed action. Larry Whalen requests that the Board be given three or four days to study documentation attached to proposed changes. Ham Ross agrees.

7. 2009 Zoning Fee Schedule (removal of \$150 filling fee). Motion to note on the fee schedule that there is currently a moratorium on this fee. Amended motion to say that this fee is not currently applicable. Both motions by Beth Fischlowitz; both 2^{nds} by Ham Ross. 5 ayes Motion carried.

B. CAPP

1. Appointment of Committee members for terms ending April 30, 2012. Motion to seat Aimee Baxter & Ed Kale with Beth Alsgaard as an alternate and Anne Lacy is she's willing to serve. Motion by Ham Ross; 2nd by Ric Gillman. 5 ayes. Motion carried.

C. Winter transportation Gary Russell reports that the Bayfield School District has paid its bill for the 2008-2009 school year. The School Board has asked their Superintendent to explore other options regarding winter transportation.

D. Alternative Energy Committee

1. Grant Agreement Office of Energy Independence Motion to authorize the Chair to sign this agreement. Motion by Beth Fischlowitz; 2nd by Ric Gillman. 5 ayes. Motion carried.

2. Amended Agreement with Bob Owen for SODAR Wind Measurement Motion to authorize the Chair to sign this agreement. Motion by Beth Fischlowitz; 2nd by Ric Gillman. 5 ayes. Motion carried.

7. Minutes

A. 02/24/09 RTBM To Be Amended Motion to amend the minutes of 2/24/09 to include the hiring of Patty Hobin as the Town's Website Coordinator. Motion amended to include that her salary will be \$12 an hour. Both motions by Ric Gillman; 2nd by Beth Fischlowitz. 4 ayes. 1 abstain. Motion Carried.

B. 04/08/09 Public Hearing (Road & Alley Vacations) Motion to accept as presented. Motion by Ric Gillman; 2nd by Greg Nelson. 2 ayes; 3 abstain. Motion carried.

C. 04/08/09 Special Town Board Meeting. Motion to accept as presented. Motion by Ric Gillman; 2nd by Greg Nelson. 2 ayes; 3 abstain. Motion carried.

D. 04/14/09 Regular Town Board Meeting Motion to accept as presented. Motion by Ric Gillman; 2nd by Ham Ross. 5 ayes. Motion carried.

E. 04/21/09 Special Town Board Meeting Motion to accept as amended. Motion by Ric Gillman; 2nd by Larry Whalen. 5 ayes Motion carried.

8. Town Hall Administration

A. Administrative Assistant's Report (April 2009) Motion to accept & place on file the Administrative Assistant's Report dated April, 2009. Motion by Ric Gillman; 2nd by Beth Fischlowitz. 5 ayes Motion carried.

B. Set date for 2009 Board of Review This will be on the May 12, 2009 agenda.

C. Clerk's Report (April 2009) Motion to approve the clerk's request for continuing education. Motion by Beth Fischlowitz; 2nd by Ham Ross. 5 ayes Motion carried.

D. Personnel Policy—Dept. Head Liaisons Motion to present the list of liaisons to the Administrative Assistant for finalization. Motion by Beth Fischlowitz; 2nd by Ric Gillman. 5 ayes. Motion carried.

E. Resolution #2009-0428 W—Opposing Proposed Changes to WI Prevailing Law Motion to adopt Resolution #2009-0428 W Opposing Proposed Changes to Wisconsin Prevailing Wage Law. Motion by Ham Ross; 2nd by Ric Gillman; 5 ayes. Motion carried.

F. Elected Officials Salaries Compensation Motion to sign the Elected Officials Salaries document. Motion by Beth Fischlowitz; 2nd by Ric Gillman. 5 ayes. Motion carried.

G. 2009 Wage Resolution #2008-1209 Attachment "D" Police Training Motion to approve attachment "D." Motion by Beth Fischlowitz; 2nd by Ric Gillman. 5 ayes Motion carried.

H. Public Service Commission Notice of Xcel Energy Request for Biomass Gasifer, Ashland, WI. Beth Fischlowitz points out that this may be an economic opportunity for Islanders. Motion to accept and place on file. Motion by Ham Ross; 2nd by Beth Fischlowitz. 5 ayes Motion carried.

I. Travel Green & Green Communities Informational only. Beth Fischlowitz would like to see participation by the Town in this program and will pursue this herself.

J. Policy for Agenda Order & Town Board Meeting Agenda Request Policy Consensus of the Board to approve the Minutes earlier in the agenda.

9. Future Agenda Items

- the Washington Ave. Beach approach
- the LP gas contract
- the letter from Lesley Mack
- a date for the Board of Review
- the vacation of a portion of Main St.
- an update on the Hangar Lease #9A
- Travel Green & Green Communities

10. Lawsuits & Legal Issues

- A. 04-CV-128 Town of La Pointe vs. Michael Mattingly
- B. 08-CV-109 Winston et. al vs. Town of La Pointe
- C. 08-CV-112 Sara Owen & Paul Brummer vs. Town of La Pointe & Craftivity

11. Adjourn Motion to adjourn. Motion by Ric Gillman; 2nd by Ham Ross. 5 ayes Motion carried.

Adjourned at 9:16 PM
Submitted by Patty Hobin, Town Clerk

DRAFT