

APPROVAL PENDING

Present: President Nancy Fisher, Bob Dickson, Herb Mueller, Chris Anderson, Mike Fitzgerald, Administrator, Josh Van Lieshout and Clerk-Treasurer Pat Gureski.

Also present: Donna Lash, Joe Melendes, Dave and Vonnie Callsen, Peter Devlin of Door County Advocate, George Bisbee, Steve Schaefer, Jeff Tunney, Jeff Kellner of McMahon Associates, Karen Peterson, Attorney William Vande Castle, Amanda Brown of Dr County Soil and Water.

Call to Order and Roll Call President Fisher called the meeting to order at 6:00 p.m. with roll call followed by Pledge Allegiance to the flag.

1. Approval of Agenda. Fisher moved to change Item 8e up to #5 and shift all down, Mueller seconded. Motion passed unanimously. Fisher moved to accept the agenda as amended, seconded Mueller. Motion passed unanimously.
2. Approval of Minutes of September 15, 2008. Dickson moved to approve the minutes of September 15 regular board meeting, seconded Fitzgerald. Motion passed unanimously.
3. Open Session. Vonnie Callsen asked for “no parking trailers” signage on Market Street. Campers with trailers and cars with trailers park on that street and take up to three parking spaces.

Steve Schaefer inquired if referendum question passes in a couple of weeks, will the Village take on projects over \$1 million. Fisher responded she couldn't answer at this time.

George Bisbee read his comment regarding the Egg Harbor Marina Project and asked the written comment be made a part of the minutes.

Fisher thanked the Egg Harbor Business Association for the pleasant fall dinner at which she received a plaque for best location in Wisconsin for art galleries. Fisher thanked Jack McCoy for recent flag donations, and Steve Smith and Public Works personnel for the play boat placed at Beach Park.

4. Donna Lash, Door Property owners Award. Donna Lash spoke in behalf of Door County Property Owners, stating, “because we like what you do here for protecting dark skies” the Door County Property Owners presented a plaque of appreciation. We see the dark skies for the heritage award.”
5. Pumpkin Patch discussion. Dave Callsen spoke thanking the Village for opening more bathrooms and providing personnel for trash pick up. The numbers of visitors showed success of the event. Callsen made some suggestions for the future. Village was tied up with backed-up traffic. It was a great festival. We should concentrate on those people who want to be here We need to decide what we expect to accomplish by having Pumpkin Patch. We should decide what kind of controls we can have to get within the boundaries on what we are trying to accomplish. Callsen continued. Issues to be addressed traffic – we ought to offer an alternative for those who don't intend to be in Egg Harbor; and parking – we have some. We need to

improve. Main Street Market parking lot was used up by festival goers that impaired our customers. Some parking lots were used for displays and vendors.

Port a potties – we need to look at numbers and who is responsible. Vendors - More than ever before. Do we want EH to look like a tent-city? We need to address that.

Pets in the Park – Pets are a nuisance with such large crowds.

Trash control – to have more trash barrels on the street for the public.

If we don't have any more than have a feed back session, we may have the same next year.

Callsen suggested forming an ad hoc Committee to address all of these issues and give us enough time to figure out some recommendations.

Karen Peterson spoke from the Business Association perspective. It was extremely successful. We probably broke attendance records. It also seemed that there were a few drinking issues, we try to keep the festival family oriented; Staffing and vendor control looked adequate. Agree there are some definite things we need to address. Suggest that vendors may be required to provide port a potties or the property on which they are located.

Dickson suggested building the requirement of port a potties into vendor permits.

Van Lieshout spoke to the issue and stated the comments that come in addressed many of these same issues. Apparently what was planned wasn't enough for the size of the festival. But we do need to work on it. Closing the highway may be one answer. There were 47 approved transient merchants, of which 7 were under contract for non-profit. Two properties had non transient permit vendors. Alcohol sales occurred outside a licensed premise. A number of weeks previous to Pumpkin Patch the Village sent out a letter to alcoholic vendors stating the requirement to sell within the limits of their licenses, however, some still violated.

Dickson stated parking is still a problem Do we want to deregulate parking during festivals? The parking ended up on South Trail which created a more dangerous situation.

Fisher stated we should increase the priority level of that walk way trail along Horseshoe Bay Road to alleviate this situation. Village View Park was not used adequately. Because of these issues, she supports the closing of the highway for this festival. Yes, we will work on formation of an ad-hoc committee to address these issues.

Mueller suggested closing the Village to traffic and shuttling the people in.

Some discussion centered on the alcoholic beverage sales and openness.

6. Plan Commission

a) Discussion Regarding Downtown planning and engineering projects.

Fisher spoke to the comprehensive planning for the downtown planning. One of the things that we received proposals for was working on the downtown development plan. We have received some cost estimates and looked at spreading this into a two year phase. The packet material is from JJR LLC. It is something that with the proper amount of input and system in place we can do something for the Village. It is a positive move for an outside person to help us.

Dickson stated it might be fruitful to do it now when the economy is down so that when it does get moving again we will have a plan in place.

Fisher stated the Commission is also looking at a parking ordinance.

7. Village Officers and Committees

a) Village President

i) Joint Town and Village meeting notice and agenda. Fisher made note of the upcoming meeting.

ii) Committee and Commission membership removal and appointments.

1) Harbor Committee – Fisher stated that we do have an opening on the Harbor Committee as John Hurckman has realized that he has more pressing commitments and has missed a significant number of meetings thereby creating the opening. Fisher suggested to add to Code Section 32.25 (F((3)(b) “or 50% of meetings in a calendar year.” following the word, “committee” in sentence one.

Jeff Tunney stated that he travels a lot and could be available by telephone to participate in a meeting.

(2) Plan Commission

(3) Tourism Zone Commission - Fisher moved to appoint Sarah Hastings-Sawyer, seconded Fitzgerald for the appointment, Motion passed unanimously.

b) Harbor Committee

i) Marina Rebuild project update – Fitzgerald deferred comments to Van Lieshout. Van Lieshout stated the rebuild project is at a standstill until the permit issues are clarified, however, the Village continues to make progress with planning and designing. The wheels are turning on the parts that are directly affected by the standstill.

ii) Marina Operations Report Van Lieshout stated the harbor continues to function very well. There has been some shortage in transient dockage. Management of the marina has worked well. Fuel expense has been dealt with as best as they can. We had some pump failures, because of that the gas pumps will definitely need to be replaced regardless of the marina rebuild. Staff is getting ready to close down for the season. Dock pier removals will take place between the 27th of October and the 14th of November by Death’s Door Marine.

Fitzgerald commented that the sinking of the dock is at 6” whereas two years ago it was at 4”

iii) Approval of Harbor Procedures – Van Lieshout presented the amendments to the dock procedures for board consideration. Dickson moved to approve the Village of Egg Harbor Municipal Dock Procedures dated October 2008, seconded Fitzgerald. Motion passed unanimously.

c) Public Works Committee

i) Recommendation to look into creating a walking path on north side of South Trail. Van Lieshout spoke to the issue of the request to create the trail.

Dickson spoke to updating the bike plan and it could be part of this trail plan. Portions of Bluff Pass were cut out by the County Highway Department. So it is possible to accomplish.

Mueller stated either side might be cost prohibitive. From Sleep Hollow to County G it is nearly impossible on either side. Mueller suggested the walking trail could follow the terrain on the north side of the South Trail down into Nature Park, weather permitting.

Fisher stated that that road could be posted with safety of traffic warnings.

Joe Melendes stated that the 2003 plans for a similar trail had an estimated cost of \$48,000.

Dickson stated if you take a little bit from both sides one side could help the other in material use.

ii) Recommendation to have Miller Engineers & Scientists to proceed with Beach Park Plan amendments for a price of \$800.

Mueller spoke to the history of the initial plan for the beach park improvement that was abandoned by the Board earlier this year.

Van Lieshout stated the plan was revisited with Door County Soil and Water. Door County Soil and Water approached the Village to reconsider a revised plan for moving the jetty, adding sand and dealing with the coli form issues; so Miller Scientists and Engineers proposed to make the project more of what the Village versed their preference on for an active swimming beach which included reducing the height of vegetation, adding more turf grass, reducing shrubs, adding trees for shade, etc. The plan revision has an estimated cost of \$800.

Van Lieshout asked Amanda Brown of Door County Soil and Water to speak, who reported there is only one other municipality that is participating in the project at this time which is the Town of Liberty Grove. The \$50,000 grant will be split between whatever municipalities that implement the plan. Fisher asked if the Village modifies the plan satisfactorily and implements the plan, how would the \$50,000 be divided among those who implement the plan.

Brown responded it would be split equally. Brown stated the Door County Water and Soil requires that the plan include the water quality issues. Brown spoke to the positive aspects of the plan by adding more sand and beach nourishment features and reducing the run off onto the beach.

Fisher moved to approve the expenditure of \$800 to Miller Engineers and Scientists to proceed with the revised plan, seconded Anderson.

Fitzgerald asked what guidelines or amendments are being proposed. Dickson also stated the board isn't aware of what the plan might include. Clarification was made by Brown that the beach nourishment does require dune grass at least in some areas.

Fisher asked for the question. Motion passed with three in favor, two opposing.

iii) Street lighting project update.

Van Lieshout spoke to this issue that the sidewalk is up the edge of the street right of way and need easements from some of the properties. The Mariner Estates easements are moving slower. Jeff Kellner of McMahan Associates spoke to the issue is being delayed until the easement issue is resolved.

iv) Street sign project update Van Lieshout spoke to this issue that he hasn't been able to obtain a sign for this board meeting. Runquist Cedar Works doesn't want to release any signs until they are complete.

8. Clerk-Treasurer

a) Budget Year to date and other financial reports The financial reports were reviewed and accepted by the Board.

Gureski reported on an upcoming election inspectors training session, receipt of an application for a Class B Liquor License, Gibraltar School coffee at this location on October 30th, and requested proposed changes for the fee schedule for a future meeting.

b) Property Assessment Revaluation for the Year 2009 – Fisher moved to approve the proposal for a total revaluation for the year 2009 from Action Appraisers and Consultants for a cost of \$46,888, seconded Mueller. Motion passed unanimously.

9. Administrator:

a) 2009 Budget and special funding requests Van Lieshout presented the General Fund operating budget for 2009 and explained the five funds of the Village. Van Lieshout explained the public works distribution of time for the previous year, and walked through the budget planning.

Harbor Fund – Fisher inquired why 3% increase for seasonal rates? Van Lieshout stated that the others seem to be at the high end of the market. Our lineal foot rates are at the middle to low end at \$75 per foot. Expenses are going up six to eight percent, so we need to make sure our revenues are keeping up with the expenses. The long time goal is that we will be able to finance our own improvements in the future. The suggestion was made to reduce legal services in the Harbor Fund.

Sewer Fund:

Fisher inquired where are we compared to this year for this fund in relation to the general levy. The levy is limited this year to 2%. Had we had growth that exceeded the two percent then we could have an increased the levy accordingly. After adjustments are made we will plug in for a general levy number or reallocate within departments.

One strength that hits us is the debt service does not fall in the levy law. The interest on the Troup property was not capitalized. The only portion that is capitalized is that which was spent on harbor and unspent that we set aside for other capital projects . We are nonetheless limited to the 2% levy limit.

Fisher asked the board for input. Her personal feeling is to be pretty tough including wage freezes. We need to take a hard look at all the expenditures and keep things capped as much as possible. We can reduce what the Plan Commission asked of from \$45, 000 to \$25,000.

Dickson agreed that we need to be fiscally tight.

Fisher suggested setting a date for a separate budget session. The date that was agreed upon was October 27 at 6:00 p.m.

b) Nuisance Ordinance Draft Amendments and Zoning Code Draft Noise Regulations

Joe Melendes asked what progress has been made. Van Lieshout stated he would like to throw away the previous version and bring a simpler version based on decibel standards.

Joe Melendes asked that the board consider a tested ordinance from any one municipality rather than combining some from several that would be untested. This will come to a future meeting.

c) Regulation of the discharge of firearms - Fisher referenced the Chris Johnson letter dated September 10 and a more recent letter from Anton Doneff.

Van Lieshout stated that he can't confirm any of Doneff's claims, however, his undeveloped acreage of 70 acres is substantial. Van Lieshout did receive a call from the Door County Land Trust concerning hunting in the Village of Egg Harbor and they do allow hunting on their land. With that fact in mind, these are two opposing letters, he drafted two options for consideration by the board.

Attorney Vande Castle was asked to address the issue. He spoke that some municipalities do create hunting and no hunting zones. You can go all one way or the other or do a mix.

Anderson stated he was in favor of a mixed ordinance that complies with the State Law.

Fisher stated she is uncomfortable with firearms discharged with the number of residents.

Herb stated he has on occasion preferred to target shoot on his property.

Mueller moved to suspend the discussion, seconded Fitzgerald. Motion passed unanimously.

d) Correspondence from Mike Kahr regarding request from Riparian Owners and Marine Contractors Association

Fisher stated the letter is requesting this association for funding . Fitzgerald moved to table, seconded Anderson. Motion passed unanimously.

e) Pumpkin Patch Report Moved to item 5 above.

f) Harbor View Park and roadway property survey

Van Lieshout presented a pictorial view prepared by McMahon Associates concerning the drive including a topography map. The next steps would be to look at conveyances through document search and at encroachments and what the Village would want to do, and on the south end how the Village could extend parking on Dock Road. Fisher moved the Village continue the research on Harbor Drive and Van Lieshout report at the next board meeting the results of the document search and what the legal standing is for the current road used, seconded Fitzgerald. Motion passed unanimously.

g) Combining Harbor View Park and Dock Park

Van Lieshout stated the park parcels are delineated by their metes and bounds descriptions. Van Lieshout stated that the roadway identified as Harbor Drive and the parks could be merged. Attorney Vande Castle suggested doing a title search on each of the parks to determine if there are restrictions on either.

Five Minute break was taken at 9:03 p.m.

Meeting resumed at – 9:10 p.m.

Fisher moved Mueller seconded to go into closed session as stated below.

h) Recommend motion to Move Into Closed Session per State Statute 19.85(1)(g) concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved; regarding the municipal harbor improvement project and the disposition of current litigation; and State Statute 19.85(1)(c) considering employment, promotion, compensation, or performance evaluation, and to discuss strategies for collective bargaining with employees union and then to Return to Open Session

Roll call vote to go into closed session: Fisher, aye; Mueller, aye; Dickson, here; Anderson, here; Fitzgerald, here.

10. Open Session Returned to open session at 10:16. Board set a date for October 27 for budget workshop beginning at 6:00 p.m..

11. Adjournment Fisher moved to adjourn the meeting, seconded Dickson at 10:19 p.m. Meeting adjourned at 10:19 p.m. Motion passed unanimously.

Recorded by,
Patricia C.Gureski, Clerk-Treasurer