

Village of Egg Harbor Regular Board Meeting Minutes

Monday, Aug 9, 2010 6:00 p.m.

Paul J. Bertschinger Community Center

APPROVAL PENDING

Present: President Nancy Fisher, Bob Dickson, Chris Anderson, Mike Fitzgerald, Barbara Cammack by telephone, Joshua Van Lieshout, and Pat Gureski.

Also Present: Peter Devlin of Door County Advocate, Joe Melendes, Pat Melendes, Jack and Jane Wilson, Steve Smith, and Tom Kispert

The meeting was called to order at 6:00 p.m. by President Nancy Fisher.

Call to order and Pledge of Allegiance

1. Approval of the Agenda Anderson moved to approve the agenda as posted, seconded Fitzgerald. Motion passed unanimously.
2. Approval of Minutes July 12, 2010 Village Board meeting Cammack requested to change her comment on the bottom of Page 1 to say the Orchards only agreed to host the concert with Loudon Wainwright in the event of rain. Fisher moved to approve the minutes of the July 12, 2010 Village Board meeting as amended, seconded Dickson. Motion passed unanimously.
3. Open Session (10 Minutes) Joe Melendes referenced the email from Diane Lubarski of Fox Point concerning the South Trail walkway planning. This document will be referenced under agenda Item h) a. Fisher commended the board on the successful action at the Joint Town and Village Board that resulted in a renewed 10 year agreement of joint fire department operations. Fisher reminded trustees and department heads to begin work on the budgets for 2011. Also there was a joint board meeting scheduled for October 14 to consider the joint 2011 fire department, cemetery and parks budget.
4. Village Officers and Commissions
 - a) Village President
 - a. Appointment to Commissions, Committees: Fisher moved to appoint Lou Nyberg to the Plan Commission and reiterated the appointments of July 12, seconded Fitzgerald, Motion passed unanimously. Fisher asked Bob Dickson to serve on the Fire Station No. 1 renovation committee along with Fire Chief Steve Schopf and an appointee from the Town. Dickson accepted.
 - b. Police services public meeting

Fisher referenced contacts with Sheriff Vogel and a meeting with Rob Burke of the U-W Extension office who suggested an open meeting of the public in September to discuss as many details as possible over concerns of the public on how the Village might benefit from additional public police services. Fisher suggested the week of September 20th for such a meeting.

Fisher distributed emails from John Mathews and John Graff of Ridgewood concerning the noise issues at Mojo Rosa's in relation to the noise ordinance. It was reported Josh Van Lieshout and Mike Fitzgerald took decibel readings a number of times and found the music at Mojo Rosa's in compliance. Fisher suggested the date of Thursday September 23rd for the public meeting. Melendes stated he would prefer September 30 date. A date will be set at the September Village Board meeting.
 - b) Plan Commission
 - a. Comments and remarks from Committee Chair - Anderson referenced continuing discussion on the sign ordinance revisions by the Plan Commission.
 - b. Sign Ordinance Fisher stated she has had some comments from some members of the special ad hoc study committee who are nearing burn-out and asked the board members relay some opinions as to what they gathered out of the recent discussions.

Fisher referenced Scherer's petitions to hold the line and wants to see the square footage held to a reasonable size.

Bob Dickson stated that he felt the large square footage recommended seemed to be the big issue and asked Josh how it would help him with enforcement.

Van Lieshout suggested the board might let the sign size part of the ordinance lie for a while and work on the easy things that can be resolved.

Fitzgerald stated he would like to keep it the way it is and thought the Board could pass most of the ordinance because there wasn't any objection to most of it. You could table the square footage of the signage, but the rest of it seemed reasonable.

Cammack stated that some of the residents were more comfortable with the recommended changes after attending a number of meetings.

Fisher suggested the commission bring the sign ordinance revisions back to the board later in the Fall.

c) Public Works Committee

a. Comments and remarks from Committee Chair Cammack reported on the committee's discussion of the proposed walking trail where some were preferring the trail on the North side, but the road as it stands is very dangerous. Van Lieshout reported he spoke with Merrill Runquist regarding the Harbor View Park sign last week and found that it was routed and being painted. Plans are being made for the installation yet this week. Cammack stated Public Works Supervisor, Meyer is happy with new employee Jodi Rass. The public works crew is installing signage at Beach Park to deter trailer parking at Beach Park.

b. Highway 42 and Cty G intersection redesign project:

Van Lieshout stated the Village has to notice the project to the public because of the size of the project, and he will notice the bidding shortly after completion of the Marina Construction project. Van Lieshout spoke with John Kolodziej of the Door County Highway Department concerning the intersection of Horseshoe Bay Road and Dock Road. The County is only willing to be responsible for resurfacing the road bed of County G. The Village would be responsible for curb storm and gutter, street lights. Dickson asked that the project concentrate on traffic and pedestrian safety.

Van Lieshout stated the Village Engineer will start a scope of the project and provide an estimated cost of construction.

Dickson asked that consideration of traffic flow and parking issues from the intersection of State Highway 42 and White Cliff Road, south to the start of the pedestrian trail including Dock Road and or South Trail.

Barbara asked for signage directing the pedestrians to the walking trail along Horseshoe Bay Road.

d) Harbor Committee

a. Comments and remarks from Committee Chair

Harbor and Marina Improvement Project Status and Update – Committee had a discussion and made a recommendation not to prorate at the front end and recommended not to pay the claim for the electrical outage that occurred at the marina

b. Progress at marina The marina is paved and marked. Except for the punch list, it is pretty much complete. Fisher distributed emails from Don Buerschinger and Jerry McGinnis complimenting the Village on the work.

c. Marina Grand Opening Plans

Van Lieshout spoke of the preparations for the Opening. The installation of the granite for the Hackley Memorial will happen on Wednesday. The State Historical Society display unfortunately will not be ready for Saturday. All other arrangements that are on the program are coming into place.

Friday Mike Fitzgerald and Josh Van Lieshout will meet with the Waterways Commission in Sturgeon Bay.

d. Policy regarding proration of slip fees Fitzgerald moved the Board not prorate any of the leases for 2010 for the beginning of the season, seconded Fisher. Voting on the motion was four in favor and one abstention.

e. Denial of claim for loss due to power outage

Fitzgerald publicly thanked Josh Van Lieshout, Steve Smith and Kelly Popp for their efforts in making the season come into fruition.

Fisher asked Van Lieshout and Fitzgerald to have the Committee develop a marketing plan for the marina and updates for the web site to ensure those slips are full in 2011, and transient's slips are filled. T.C. Johnson arrived.

e) Utility Committee

a. Comments and Remarks from Committee Chair

b. Requests for sanitary sewer extensions, Orchards development and Chris Johnson Dickson spoke to the extensions requested by Chris Johnson on County E and the Orchards around the Golf Course building at Cty EE and Heritage Lake Road.

Village Engineer and The Orchards Engineer are meeting as to what direction the extensions might take. There is some discussion of a possible sanitary district development for outlying areas.

f) Public Art Committee – Fisher reported the Committee has been active and Blue sail by Richard Edelman has been installed about ten days ago and the Riemer sculptures were installed in Harbor View Park on Friday the 6th.

i. Approval of wind sculpture location: An email vote was taken by the Trustees for the site location and Site B was chosen as the site. Fisher moved for the installation at site B on the north side, seconded Dickson. Motion passed unanimously.

Cammack asked the Board how does the Village make it known that the structures are not part of the marina construction parts. Fisher stated the Village has not had to pay for the sculptures; and the Richard Edelman Blue Sail may be there on a permanent basis. The Riemer sculptures in the park are on loan for three years.

g) Clerk-Treasurer

a. Budget Year to date and other Financial Reports Gureski reported that Shared Revenue and Computer Aids were received from the State in July. The report was accepted by the board as presented.

b. Operator's permits Fisher moved to approve the Operator's permit for Shawn Huempfner at Fat Louie's Oil Company, seconded Dickson. Motion passed unanimously.

Fisher moved to approve the Operator's permit for Gregory Zipperer at Fat Louie's Oil Company, seconded Dickson. Motion passed unanimously.

Fisher moved to approve the operator's permit for Alesia Haufe at Fat Louie's Oil Company, seconded Cammack. Motion passed unanimously.

h) Administrator

a. South Trail Speed Limit Change:

Van Lieshout distributed an e-mail memo from Diane Lubarski regarding the proposed trail, and stated there are four options for the trail: south side, north side or both side using nature park with an eight foot wooden boardwalk in Nature park or a combination, ranging from an estimated cost of \$35,800 up to \$270,500. Another option includes the reducing the driving lane from 10 feet to nine feet. Also there may be a speed limit reduction. Van Lieshout introduced an amendment to the traffic schedule from 25mph to 20 mph. The Village may also put up additional signage indicating twisting road.

Fitzgerald stated there are two spots that are extremely dangerous where the escarpment juts out into the road way. Some extra signage would be helpful at those spots.

Considerable discussion took place on different scenarios that could take place as to how the trail could be designed around the existing road, escarpment and Nature Park.

Fisher moved to adopt the Ordinance 2010-04 to change the speed limit on South trail from 25 to 15 miles per hour to take effective immediately, seconded Cammack. Motion passed unanimously.

b. Kayak Concession Report Van Lieshout drafted an agreement with Team Leadership Center to operate a concession at Beach Park. He met with Tim Flieger of the Center this morning. The concession will start this weekend beginning Thursday and will continue weekends through Labor Day

c. Report of Code Enforcement Activities Van Lieshout reported on his activities. He met with

Matthew Peterson to deal with the issues at Casey's BBQ and Smokehouse, the location of the Smoker, the propane tanks, the wood pile, the grease on the sidewalk and the debris around the dumpsters. Dickson asked for a report from the Fire Department on inspections of the propane tanks to the proximity of the burner. Van Lieshout reported that he made decibel samples of the music at Mojo Rosa's and is willing to take more readings. Van Lieshout was asked to take readings over a larger period of time. The suggestion was made to take readings at the complainant's residence also. Chris Anderson offered to take decibel readings for later in the night

d. Village of Egg Harbor v. Mojo Real estate III, LLC d/b/a/Mojo Rosa's Case Number 10-SC309

Van Lieshout reported Kim Jensen of Mojo Rosa's responded to the sign ordinance violations and there will be a pretrial meeting next week.

e. Harbor View Park Sign The status of this item was reported earlier in the meeting.

f. Labor Day preparations There is not a lot of additional preparation required. There are two non-profits fund raisers scheduled.

g. Streetlight replacement status Additional street lights are on order and will be installed late summer early fall on the south end to replace some of the older blue lights.

i) Joint Town and Village Operations and Fire Station No. 1. Fisher reported on the August 3 meeting and thanked Dickson for agreeing to serve on the committee. Fisher reminded the board the joint budget meeting will be October 14 at the Paul J. Bertschinger Community Center beginning at 6:00 p.m.

Fitzgerald stated a new lawn mower is needed. Committee agreed to budget the purchase consistently each year.

j) Compliments and Complaints

Fisher stated the emails that have been received are good communication with the public, and appreciates the attendance at the meetings.

There are two letters in the packet regarding the closing of the gates between Dock Road and White Cliff Road. Fisher stated the Village and Harbor Committee would like to see how the traffic patterns unfold on a trial basis.

5. Open Session T.C. Johnson asked if the marina has the same standard of dark skies that the rest of the Village has, the lights that shine up on the flag pole may be questionable. The lights on the bridge are very bright right now and could be dimmed.

Van Lieshout stated flag pole lighting generally receives an exemption to the dark skies code.

The bollards along the cable rail may be able to be lamped down. The lights on the break wall can be adjusted.

Jane Wilson of Fox Point spoke in behalf of the Fox Point owners who appreciate the efforts the village has made and charges the Board to examine every aspect of saving the escarpment in relation to developing the walking trail.

Barbara Cammack asked about shirts for the Marina Grand Opening, and commented the first Yacht Club Commodore might be acknowledged at the Grand Opening.

6. Adjournment Fisher moved to adjourn at 7:40 p.m., seconded Fitzgerald. Motion passed unanimously.

Recorded by Patricia C. Gureski, Clerk-Treasurer