

Village of Egg Harbor Board Public Hearing and Meeting Minutes
Monday, January 14, 2008 at 7:00 p.m.

APPROVAL PENDING

Call to Order and Roll Call

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

Also present: David Wagner of Ehlers Associates, Paige Funkhouser of Advocate, Diane Lubarski and one other person.

President Fisher called the meeting to order at 7:00 p.m. with roll call followed by Pledge Allegiance to the flag.

1. Approval of the Agenda

Fisher moved to amend the agenda to move Ehlers and Associates, Inc., Agreement for Financial Advisory Services to 5 a) i), seconded Mueller. Motion passed unanimously.

2. **Public Hearing On Code Amendments Chapters 32, 50, 152 and 156.** Public Hearing – no comments. President Fisher closed the public hearing at 7:02 p.m.

3. **Approval of Minutes November 12, 2007 Regular Board Meeting,** Fisher moved to approve the minutes of December 10, 2007 with the correction to add Dickson as an attendee, seconded Mueller. Motion passed unanimously.

4. Open Session.

No comments. President Fisher commented on the New Year's Day Parade success.

5. Village Officers and Committees

a) Village President

i) Consider Agreement for Financial Advisory Services VanLieshout introduced the representative from Ehlers & Associates, Inc., David Wagner who he has engaged for Harbor financing and refinancing of the NANs taken out in 2007.

Wagner spoke to the Board and provided an additional handout reflecting the history of the firm, who ranked No. 1 in the country for financial bonding issues during 2007.

Bond sales are rated as per the true interest rate. Current rates range from 3.5 to 4.14.

When you know how you are going to finance your harbor construction you should move to work toward the business rate.

David then described his company's proposal for contract of engagement. Wagner further described a proposal for an optional additional contract to manage a five-year capital improvement plan for the Village.

Short term rates have decreased more dramatically than the long term rates. There is a need for a cost benefit analysis for the financial management plan and the refinance term. If you refinance, you will need to put money aside to escrow to the prepayment date for the refinance. He recommends working on the five-year capital improvement plan and then work on the refinancing.

Fisher moved to approve the engagement agreement with Ehlers & Associates Inc. for independent adviser services dated December 13, 2007, including the five-year financial plan, seconded M. Fitzgerald.

Dickson inquired that if there was any way the Village could take advantage of the discount for the Harbor project if the Village doesn't take out a bond issue within a year of this date, if we

were to engage this contract. Wagner explained that the borrowing issues could be combined, but it would then require only one financial statement, but still remain two issues.

Voting on the motion was unanimous.

ii) Consider Adoption of Egg Harbor Business Association/Village of Egg Harbor Promotion Agreement.

Fisher stated Egg Harbor Business Association made some comments to the proposed agreement. Fisher then gave the past five-year history of the Village/Egg Harbor Business Association relations and financial support.

Dickson stated this agreement reflects a fixed amount versus a percentage of the previous arrangement to the Egg Harbor Business Association from the Room Tax revenues.

VanLieshout described the scope of the agreement.

Fisher asked that quarterly reporting to the Village on activities.

VanLieshout spoke to the fact that the Egg Harbor Business Association has previously been awarded 10% of the Room Tax Revenues for operations of the Visitor Center. The Village could provide a set figure in trade for expected services at the Visitor Center.

Dickson suggested that the Village try to get the Town board on the Joint Board February agenda to help support the Egg Harbor Business Association Visitor Center.

Fitzgerald stated he would be in favor of holding the 10% of the Room Tax revenues in light of the fact the dollar amount being considered in this agreement.

Dickson stated that because the Village invested so much into the PEPAC that we should give everything we can for this year to get it going.

Fisher moved to approve the agreement between the Village and Egg Harbor Business Association with the addition to Art V, adding section 5.3 to require quarterly report of expenditures to the Village, or instead of requiring quarterly report, ask for Village review of funds expended.

Anderson asked if the dollar figures in Section 5.1 would include promotion of the events, Motion seconded by Mueller. Voting on the motion was unanimously approved.

iii) Recommendation to Withdraw Monies from Municipal Taxpayer's Commission

Fisher expanded on the Municipal Taxpayer's Commission functions and referenced a previous request by the Village for reimbursement of funds and interest earned but no action had been taken by the Commission.

Dickson moved to request refund of the Village's investment and earned interest in the Municipal Taxpayers Commission monies, seconded Fisher. Motion passed unanimously.

iv) Ordinance on Code Amendments – Fisher moved to adopt the ordinance amending the Village Code of Ordinances, seconded Mueller. Motion passed unanimously.

v) Discussion Regarding Beach Park and Troup Property

Fisher stated there will be a special Board meeting Jan. 22 at 08:30 on the Troup property to develop strategy at which time there will be an architect from McMahon Associates speak on the structures regarding the necessary improvements for use by the public. The Garden Club has been invited to contribute plantings at the site.

b) Plan Commission –

i) Comprehensive Planning Progress

Fisher stated the survey response was over forty percent. Martenson and Eisele are reviewing the responses and will report to the Plan Commission at its next meeting.

c) Harbor Committee

i) Ordinance to Amend Code Chapter 94 – Harbor Regulations

Fitzgerald moved to approve the Marina ordinance, Dickson seconded. Passed MPU.

d) Public Works Committee

i) Recommendation to Obtain Cost Estimates for Lighting Fixtures

Mueller moved to authorize the administrator to obtain cost estimates for lighting fixtures and replace the Village Entrance Signs, seconded Fitzgerald. Motion passed unanimously.

ii) Recommendation to Replace Village Entrance Signs

e) Clerk-Treasurer financial reports

i) Budget year to date and other financial reports – Reports were presented by Clerk Gureski and it was reported that twenty-nine percent of the tax collection had taken place by December 31, 2007.

ii) Approval of Operator's License – Yvonne Rynearson at The Bistro

Fisher moved to approve, seconded Mueller. Motion passed unanimously.

f) Administrator

i) Sexually Oriented Businesses Ordinance . VanLieshout introduced the thought of enacting an ordinance prohibiting sexually oriented businesses.

Fitzgerald moved the administrator look into developing such an ordinance, seconded Mueller. Motion passed unanimously.

ii) Review and possible action on Board and Commission Compensation

VanLieshout spoke to this issue of compensation for elected officials. Such action is taken by ordinance and is usually by initiation of the locality. Fisher moved to table to the February meeting, seconded Mueller. Motion passed unanimously.

iii) Preliminary Resolution Declaring Intent to Exercise Special Assessments

VanLieshout introduced a resolution authorizing the intent to exercise special assessment police powers for sewer extensions. Dickson moved to approve, seconded Fitzgerald. Motion passed unanimously.

iv) Set Public Hearing Date for Special Assessments Hearing.

Fisher stated the Date of February 11, 2008 will be the public hearing on Special Assessment to benefited properties of the Hwy 42, Mariner Road, Moonlight Lane and Shady Lane Sewer Extensions.

VanLieshout reported on the progress of the scale modeling of the harbor and expects to visit the site and witness the test in about two weeks.

There are not yet any updates on the speed limit changes. We will have an informational meeting on February 5 with the D.O.T. on the Hwy 42 project.

6 Open Session

Diane Lubarski spoke to the possible elimination of seasonal rates as recently discussed by the Utility committee, and requested that the Village please keep the seasonal status in tact for all of us.

7 Adjournment

Fisher moved to adjourn at 8:35 p.m. seconded Fitzgerald.

Recorded by

Patricia C. Gureski, Clerk-Treasurer