

**APPROVAL PENDING**

Call to Order and Roll Call President Fisher called the meeting to order at 6:01 p.m. with roll call followed by Pledge Allegiance to the flag.

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

Also present: Peter Devlin of Door County Advocate, Jack Mccoy, Bruce Hill, Steve Schaefer, Tom Kispert of McMahon Associates, Roy Back, Terry Back, Trissa Crowley, Joe Melendes, Claire Murphy, Pat Melendes, Frank Murphy, Carol Straubel.

1. **Approval of the Agenda**

Dickson moved to approve the agenda as amended, seconded Mueller. Motion passed unanimously.

2. **Approval of Minutes June 9, 2008 Regular Board Meeting and Board of Review June 19, 2008.** Fisher moved to approve the minutes of June 9, 2008 regular board meeting, seconded Mueller. Motion passed unanimously. Fisher moved to approve the minutes of the Board of Review of June 19, 2008, seconded Dickson. Motion passed unanimously.

3. **Open Session.** Claire Murphy spoke to noise in the Village for construction on the parking lot next to their bed and breakfast at 6:30 a.m. and Harbor Construction installing storm sewer at 7:15 in addition to music at night at businesses.

Joe Melendes – asked if there would be a rendering of Beach Park beach improvements as requested at the previous meeting. Van Lieshout stated the rendering is not completed. There is a depth of the detention area completed.

Mueller spoke of a situation at the Visitor Center that occurred on the weekend. The vapor light fell off the wall of the building and hung in the doorway by the wires. Public Works personnel were called and there was considerable time between the incident and response. The EHBA should be made aware of a contact person whether it is their responsibility or the Village's when such incidents occur during non working hours for Village personnel.

Van Lieshout spoke that a telephone contact list exists for the elected officials and personnel. He is studying the lease agreement to determine who is responsible.

Van Lieshout stated The On call personnel working on a weekend is directed to the Utilities. Perhaps this should be expanded to the public works issues.

Mike Fitzgerald arrived.

Dickson asked about the status of the noise complaints with regard to the outdoor music.

Van Lieshout responded that he spoke with Mojo Rosas about the noise and the complaints. Van Lieshout stated the Village may need to look at enhancing its noise ordinance and consider applying regulation to our zoning code. Van Lieshout stated he would rather have the County regulate. Fitzgerald suggested regulating it similar to an event ordinance or with a decibel monitor.

Fisher thanks harbormaster and his staff and public works for making the Village in great shape for the 4<sup>th</sup> of July weekend. The new website will go live on Thursday.

Door County Planning Department requested a copy of the Village's dark sky lighting ordinance. She received correspondence from Cellcom with regard to wireless internet access and they will be doing some testing throughout the Village on future possibilities.

4. Action on Alcohol Licensing:

a) Fisher moved to approve the Temporary Class "B" Beer license for Egg Harbor Business Association in relation to the Sunset Concert Series, seconded Dickson. Motion passed unanimously. Fisher moved to approve the Class "B" Wine Licenses for Egg Harbor Business Association for July 27 and August 18 in relation to the Sunset Concert Series. Motion passed unanimously.

5. b) Renewal Class A License for Donald Whitson-Schmidt - Fisher moved to approve the Class A License renewal for Donald Whitson-Schmidt at 7821 Horseshoe Bay Road, seconded Mueller. Motion passed unanimously.

c) Class "B" Retailer and Class "C" Wine License Renewal for Hilary Hornbeck – Fisher moved to approve the Class "B" beer and Class "C" wine licenses for Hilary Hornbeck at 7881 State Highway 42, seconded Fitzgerald. Motion passed unanimously.

d) Consider Operator's license renewals and new Operator's licenses as listed renewals: Fisher moved to approve renewal operator's licenses for Gerald A. Van Pay, Dennis McCarthy, Peter Hickey, Jacqueline Bogenschutz, Bernadette Strege, Kaaren Northrop and Bruce Hill; seconded Dickson. Motion passed unanimously.

Fisher moved to approve operator's licenses for one-year ending June 30 to Jaclyn R. Butterbordt, Sheila Boeck, Regan Spangler, Michelle Drover, Kelsey McCole and Melissa Ternes, seconded Dickson. Motion passed unanimously.

Fisher moved to approve a temporary operator's license for Don Helm for Pumpkin Patch weekend, October 10-12.

6. a) Plan Commission Update on Comprehensive Plan Process

Board members were reminded to bring suggested changes for the Master Comprehensive Plan to the July 22 meeting of the Plan Commission. It will then be taken to the August Village Board meeting for ordinance adoption following a public hearing.

7. Village Officers and Committees

a) Village President

i) Policy directive for attendance by Village Attorney or Administrator to attend Board of Appeals hearings. Fisher referenced the June 19 zoning board of appeals hearing and in reaction to a citizen suggestion that followed that when exceptions are granted that the Village's position is well represented that either the village attorney or administrator must be present at future Zoning Board of Appeals. Fisher moved to establish a policy that either the village attorney or administrator appears at a zoning board of appeals hearing, seconded Dickson. Motion passed unanimously.

ii) Resolution Accepting Donation – Fisher moved to approve Resolution 2008-03 accepting the donation from Kevin Egan toward the construction of the Peg Egan Performing Arts Center, seconded Mueller. Motion passed unanimously.

iii) Sunset Concert Series, Peg Egan Performing Arts Center, Sunday July 27, 2008 concert. Fisher stated the parking has been graded and signed for the events. On the 27<sup>th</sup> the concert will feature Howard Levy's Chicago Jazz All Stars. On that evening the Village will pay tribute to the new facility.

iv) Discussion regarding regulation of fireworks - Fisher referenced the article in the Municipality Magazine and July 9 Door County Advocate and suggested the Village send a letter to the County Board of Supervisors to make their regulations more strict.

b) Harbor Committee

i) Marina Rebuild Project Update. Mike Fitzgerald stated he is scheduled to meet with the Water Ways Commission on July 23<sup>rd</sup> on the grant application. The WDNR hearing took place June 30<sup>th</sup> and we expect to know the status of the permit application by the 21<sup>st</sup>. Fisher responded to a request on the amount of monies paid to JJR LLC for engineering is at \$278, 554 to date.

ii) Marina Operations Report

Fisher referenced a summary from harbormaster dated July 6 and pictures showing the activity at the beach park on that weekend. There will be new signage indicating the swimming and small craft launch areas. Van Lieshout expanded on the plans for beach park management with signage.

c) Public Works Committee

i) Recommendation to proceed with purchasing directional street signs

Van Lieshout presented a sample of how the sign would be put together. Some of the public suggested color considerations like using the yellow and blue of the Village logo versus black and white. Consensus of the board was to approve the yellow and blue coloring and reduce the size of the solid line between the signs. Mueller moved to approve the proposal to Runquist Cedar Works at a cost of \$2625 for five signs; with individual plaques at \$200 each with the Egg Harbor colors, seconded Dickson. Motion passed unanimously.

ii) Recommendation Beach Park Beach Improvement project

Van Lieshout reported the rendering proposal by Miller Engineers and Scientists came to \$1800 and the concept plan to include the Troup property on the beach improvement plan at \$4000. Van Lieshout then expanded on the fact that the project would probably include removal of the stone wall bulkhead.

Van Lieshout presented a makeup of the expected contours of the beach improvement project. Upon speaking with the County there was some discussion of the types of grasses available for use and the Village has been requested to specify natural grasses. The board discussed the possibility of cleaning the beach sand and dress up the beach on its own without the assistance of the Door County Sanitation beach improvement plan. Mueller moved to withdraw from the beach park improvement project designed by Miller Engineering and Scientists, seconded Fitzgerald. Motion passed with Fisher opposing.

Mueller stated there are some dead cedars where the public works committee recommended parking for the beach park expansion. The parking lot could be built up on the corner of South Trail and Horseshoe Bay Road by the materials removed from the jetty. It was noted that removal of the jetty requires WDNR approval. Fisher asked the Public Works committee to make recommendations for improvements of the beach.

Mueller addressed the fact that there needs to be policy developed for use of the asphalt inside the gates at the performing arts center with regard to handicapped parking. It is suggested handicapped parking could be alongside the fence between to the driveways on Church Street.

d) Utility Committee

i) 2008 Sanitary Sewer Extension update – Tom Kispert spoke on the completion of the Sewer Construction project that came in at less cost than projected. The Final Assessments have been completed and the final assessment resolution will be on a future agenda.

ii) Request recommendation from Committee regarding continuance of seasonal rates. Utility Committee will make a recommendation to the Board.

8. Clerk-Treasurer

a) Budget year to date and other financial reports. A Room Tax Revenues comparison was requested for next meeting now that one year's time has elapsed on the room tax collections.

b) Consider Petition for Referendum on direct legislation requiring binding referendum prior to construction of any capital project exceeding one million dollars.

Fisher stated in her opinion the petition is overly broad, is too far reaching in that it is not specific to any types of projects the Village might consider, and provided to the board a list of options that the Village might consider for action. We can accept the petition or not accept it. We can accept the petition and place the question on the ballot. Fitzgerald moved that the Village not accept the petition, seconded Fisher. Discussion went to reconsidering the decision after making additional research on the Village's authority. Fitzgerald withdrew his motion, Fisher her second.

Fisher moved that the board meet with Village Attorney Bill Van de Castle prior to July 30 to consider action on the petition. Motion passed unanimously.

9. Administrator

a) Report on Independence Day celebration Activities Van Lieshout asked for response on the fireworks and parade were great. There were not any issues to be concerned over. On Saturday morning pw employees came into clean up with no over time.

The beach had its largest attendance ever. There needs to be more signage at that location for safety reasons.

b) Ordinance amending Chapter 155.08 creating regulations for Tourist Oriented Directional Signs. Mueller moved to adopt the ordinance, seconded Dickson with the change in the coloring. Motion passed unanimously.

c) Discussion regarding the start of the 2009 Budget - Van Lieshout asked the Board members to consider beginning discussion on their budgeting during the August Committee meetings.

d) Approval of Animal Control Officer Employment Agreement – Fisher moved to approve the agreement, seconded Dickson. Motion passed unanimously.

e) Letter to surrounding municipalities regarding extraterritorial plat review – presented a draft letter to municipalities surrounding the village informing them of the powers granted the village through State Statute Chapter 236.10.

f) Discussion regarding next Village & Town of Egg Harbor Joint Meeting – The tentative date will be October 22<sup>nd</sup> at the Paul J. Bertschinger Community Center. Fisher asked the Board to prepare their thoughts for the intergovernmental agreement and issues to be discussed at that meeting.

g) Consider approval of Event License: Door County Charities "Pumpkin Patch". Temporary Class "B" Retailer License for Door County Charities October 11, 2008 at Parking Lot of 7810 STH 42 and Temporary Operator's License to James G. Sarkis.

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

10 Open Session. Carol Straubel spoke in regards to the Zoning Board of Appeals direction for attorney or administrator to attend future meetings, but asked about the status of the meeting that took place. Van Lieshout explained that any one can appeal within a thirty day period of the decision made by the board.

11 Adjournment Fisher moved to adjourn at 8:54 p.m. seconded Dickson. Meeting adjourned.

Recorded by  
Patricia C. Gureski, Clerk-Treasurer