

Village of Egg Harbor Regular Board Meeting Minutes

Monday, March 08, 2010 6:00 p.m.

Paul J. Bertschinger Community Center

APPROVAL PENDING

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

Also Present: Peter Devlin of Door County Advocate and Teri Lundahl

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

Pledge of Allegiance

1. Approval of the Agenda Anderson moved to approve the agenda, seconded Fitzgerald. Motion passed unanimously.

2. Approval of Minutes February 8, 2010 Village Board meeting, Cammack moved to approve the Minutes of the February 8, 2010 meeting, seconded Anderson. Motion passed unanimously.

3. Open Session (10 Minutes) Fisher stated Tom Cashin passed away this past week and asked the board to remember him. Fisher thanked Sarah Sawyer who served on the Door County Tourism Zone Commission. The Village's representation has been reduced to one due to the decrease in revenues for the past year. Fisher announced that the DNR hearing is published and scheduled for April 19 for the two issues with regard to the permit at the marina that of safe navigation and scenic beauty.

4. Village Officers and Commissions

a) i) Presentation from Teri Lundahl, Dragonfly Agency, LLC regarding Upcoming 2010 Summer Concert Series at the Peg Egan Performing Arts Center (PEPAC) Fisher introduced Teri Lundahl who presented the full line up for the PEPAC season. Lundahl reported grants have been written for sponsoring some of the performances as well as local donors. All sponsorships have been pledged for this season.

ii) Food Vendor Arrangements for the Summer Concerts at Peg Egan Performing Arts Center Fisher referenced several conversations that she has had with regard to the search for a vendor who might be interested in engaging into a contract for two years to provide food sales for the PEPAC events. Fisher stated a percentage of the alcohol sales might support the PEPAC fund for future years.

Fisher requested the Village consider electrical service to a designated food service area.

Teri Lundahl spoke that she has been working on the possibilities of vendors. The Art and Music Foundation is a sponsor for the PEPAC and there are possibilities to get food from outside sources. The Art & Music Foundation could be responsible for the food, and may be willing to support the PEPAC with a percentage of their sales.

Van Lieshout suggested amending the contract with Dragonfly Agency to specify Dragonfly would provide the food vendors, and with the consensus of the board, offered to draft an amended contract.

Fitzgerald asked Lundahl what she thought about wine sales and she stated that as long as carry ins are not allowed, it would behoove the Village to provide wine sales. Clerk Gureski was asked to contact the Wisconsin Department of Revenue to determine the regulations.

iii) Meeting Regarding establishment of a Fire District on February 25, 2010

Fisher reported she and Chris Anderson attended the Northern Door meeting at Liberty Grove on February 25 in regard to the formation of a fire district. There will be a second meeting at the end of March including the fire chiefs to continue discussion.

The feeling Fisher and Anderson got is that there are entrenched ideas that a fire district won't work; territories would change, fire chiefs will lose their chief status, etc. Fisher also brought up the fact that fire fighter training is a large issue in that NWTC is not providing the classes locally that are needed on a timely basis.

Fitzgerald spoke to the fact that the County could be covered with a maximum for four fire stations. It is becoming evident that the manpower to support the stations is continually decreasing.

iv) Door County Tourism Zone Commission Final Year 2009 Report

Fisher referenced the Door County Tourism Zone Commission 2009 annual report which showed the Village of Egg Harbor had the greatest percentage drop of revenues.

Dickson asked if there are comparative numbers that might show the drop was due to the Mariner Motel operating at a lesser percentage. It was consensus to inquire from the Door County Tourism Zone Commission how that affected the Village's Room Tax revenues. The Village might also look at whether the marketing might need to change and how the locale of the different establishments profited in relation to the summer concerts.

v) Commission and Committee Vacancies Fisher stated that the Village received the resignation of Bill Nelson from the Plan Commission; and the passing of Tom Cashin creates a vacancy on the Zoning Board of Appeals. The vacancies will be listed on the website to seek interested parties to fill.

vi) Resolution to Oppose County Assessment Fisher referenced the previously tabled the resolution, however, it may be questionable if a full analysis was made that it would be beneficial to municipalities that this is the best move to make; it would take local control away.

Dickson stated that the Village has the wording of the document at hand and can adopt it when the right time comes. Cammack moved to table action on the resolution opposing County assessment until necessary, seconded Dickson.

vii) Report on visit from Lt. Governor Barbara Lawton on February 25, 2010

Fisher described the tour she and Josh took Lt. Governor Barbara Lawton through the Village on February 25.

viii) Knox box compliance Fisher presented her comparison of businesses who have and who have not complied and who will be noticed on a time frame by which to comply.

b) Plan Commission

i) Comments and remarks from committee Chair – Anderson reported meetings held with Dr. Kevin Vonck have been fruitful.

ii) Downtown strategy project – Anderson stated Dr. Vonck presented a first draft of a plan being prepared that the Plan Commission will review and later bring to the Village.

iii) Bicycle and pedestrian planning project – The representative of the Bicycle Federation presented his first draft of a plan for the Village to the Plan Commission.

iv) Plan Commission Study Group activities – This group has completed making its recommendation to address parking in the Village. Dr. Vonck will be here this week Thursday for further discussion and will continue making recommendations.

v) Recommendation to amend Code Section 152.048 – onsite parking requirements –

Fitzgerald and Dickson commented the plan should strive to discover the impacts on businesses in the down town area and if the board passes this it may decrease the number of businesses in the Village. Anderson stated the study group's discussion on an impact fee might allow the Village to develop additional public parking.

Consensus was more discovery needs to be done. Anderson described shared parking, if that's not available then a business or property owner pays an impact fee and if that's not feasible, they then come to the Village for a variance.

Fitzgerald stated the enforcement will be almost impossible.

Anderson stated the group is fully behind the amending language and most properties will come into compliance.

Van Lieshout stated parking could be treated as a utility it would be more in keeping with a recurring annual expense. Those that would be served are those that are under the parking requirements.

Dickson suggested the Village improve some parking infrastructure at Village View Park and assess as portion of the cost to the marina for trailer parking and businesses for non-compliant parking businesses. If the Village improves then you have some tangible evidential reason for collecting impact fees.

Fitzgerald and Dickson were in favor of doing a survey of the number of needed parking spaces in relation to what is currently available.

Fisher inquired if the Public Works Department has the ability to further develop Village View Park for more formal parking. Van Lieshout stated the Village has applied through the Great Lakes Initiative to improve the

Village View parking lot and the marina parking lot. We won't know about the money until some time in April. If we do get money, we will move forward with some development of Village View Park. Fisher moved the Village Board conduct a public hearing prior to the April 14 Board meeting for parking requirements to Code Section 152.048.

Fisher asked Van Lieshout to review the Village ordinances as to whether they cover wind turbines.

c) Harbor Committee

i) Comments and remarks from Committee

ii) Harbor and Marina Improvement Project – Fitzgerald reported that a meeting will be set up with the engineers and contractors for continuing the work on the marina project. Phase II is ready to go – the piers are built and we are waiting for the ice to move out.

a. Phase III Upland Improvements – A prebid meeting will be conducted tomorrow to review site conditions and coordinate issues to familiarize the contractors who are interested in the project. The bid opening is March 18th. Completion is expected by August 4th. A special board meeting date was set for Wednesday, March 24 for awarding the bids.

b. Contract for the relocation and upgrade of fuel dispensing system – A proposal was presented from Petroleum Services for moving the fuel tanks and dispensing equipment. Fitzgerald moved to award the contract to Petroleum Equipment Services for the moving the tanks and pumps per the proposal dated March 2, 2010 for \$41,018, seconded by Anderson. Motion passed unanimously.

c. Contract for cable television services at marina - Fitzgerald moved the Village award the contract to Charter Cable Partners, LLC for \$5,900 to provide cable television to the marina slips, seconded Cammack. Motion passed unanimously.

iii) Planning for Marina Opening – Van Lieshout stated planning is under way with the grand opening ceremony at 11:00 a.m. and children's activities following. There will be some music provided in the afternoon. The Egg Harbor Yacht Club wants to do a brat fry to be part of the activities.

iv) Comments from the Egg Harbor Yacht Club dinner on Feb. 12, 2010 – Fisher reported the Egg Harbor Yacht Club annual dinner was well attended.

v) Comments on transient slip availability at the Egg Harbor Marina - Van Lieshout reported clarification has been made on the amount of transient dockage availability. There will be 13 transient slips available for transient dockage.

d) Public Works Committee

i) Comments and remarks from Committee Chair

Cammack stated there wasn't a quorum for the February public works meeting.

ii) Harbor View Park entrance sign – Cammack stated concern with the proposed cost of nearly \$6,000 for a new sign for the Harbor View Park entrance from Runquist Cedar Works. Van Lieshout presented a mockup picture of the sign and described the sign. Cammack moved to table purchase of a Harbor View Entrance sign due to the fact that it is costly and use the budgeted money in a better way, seconded, Fisher. Dickson stated we should discuss the issue again at budget time. Motion passed unanimously.

iii) Brush removal on CTH G - Fisher stated the low hanging branches that are broken and hanging into the pedestrian lane are dangerous to bicyclists and pedestrians, and asked the administrator to follow up with the County for the brushing that needs to be done.

Fisher provided a brochure of a hill glider brochure to the Public Works committee to review.

e) Utility Committee

i) Comments and remarks from Committee chair Van Lieshout showed a slide show of winter projects completed by the Public Works crew including beach changing rooms and gates for the north end of the upper parking areas at Dock Road and the headworks project and grit screening project at the Waste Water Treatment Plant.

ii) Headworks Improvement Project Dickson reported the project will be completed this spring with landscaping, etc.

f) Clerk-Treasurer

i) Budget Year to date and other Financial Reports Reports were accepted by the Board.

ii) Consider application for a Temporary Class B retailers license, Egg Harbor Men's Club July 17, 2010 and temporary operator's licenses for Bert Sawyer and Jeff Paschke July 17, 2010

Fisher moved to approve the Class B retailer's license and temporary operator's licenses for Bert Sawyer and Jeff Paschke, seconded Dickson. Motion passed unanimously.

g) Administrator

i) Online payment of fees for services

Van Lieshout reported he will be bringing a proposal for online payments to the April board meeting.

ii) Carry-in alcohol at Peg Egan Performing Arts Center – Eames Cherry View Park

Fisher announced that the State Statutes prohibits carry ins of alcohol when there is alcohol being sold at public events.

iii) Renewal of Liability and Property Insurance Coverage

Fisher referenced the proposal by the League of Wisconsin Municipalities for renewal of the liability insurance. Cammack preferred increasing the coverage to \$5M of coverage of liability insurance for the additional cost of \$1,250 over the \$17,306 base for the renewal.

Dickson moved to accept the insurance proposal with the additional option limits of \$5,000,000 with the additional \$1250 premium after Van Lieshout clarifies that it includes the general, law enforcement and public official's liability across the board, seconded Fitzgerald. Motion passed unanimously.

iv) Seasonal employment opportunities Van Lieshout reported positions are being filled, we have two to fill in Public Works Department, but applications are coming in.

v) Municipal Code enforcement update/complaint investigation results

Van Lieshout provided a report on complaints responded to for enforcement responses.

At 9:07 Fisher moved to go into closed session, seconded Anderson. Fisher, Dickson, Cammack, Anderson, Fitzgerald voted aye.

vi) Closed Session per 19.85 (1)(g) for the purpose of discussing matters concerning a Petition For Administrative Review/Contested Case Hearing and Request for a Stay filed by Peninsula Shores Condominium Association, Inc. related to a permit amendment issued by the Wisconsin Department of Natural Resources for the construction of the Egg Harbor Marina and Harbor Improvement Project.

vii) Closed Session per 19.85 (1)(g) for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to Cooper/Hurckman v. Village of Egg Harbor; and then Return to Open Session to take further action or to adjourn the meeting.

a. Approval of closed session minutes – February 8, 2010

5) Open Session At 9:17 p.m. the Board returned to Open Session. An administration committee meeting was set for March 25 at 11:00 a.m. to review the administrator's contract.

6) Adjournment. Fisher moved to adjourn at 9:20 p.m. seconded Fitzgerald. Motion passed unanimously.

Motion passed unanimously.

Recorded by Patricia C. Gureski, Clerk-Treasurer