

## **Village of Egg Harbor Regular Board Meeting Minutes**

Monday, April 12, 2010 6:00 p.m.

Paul J. Bertschinger Community Center

**APPROVAL PENDING**

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

Also Present: Paul Denis of Schenck Business Solutions, Peter Devlin of Door County Advocate, Kevin and Maggie Vonck, Tom Young, Karen Peterson of Egg Harbor Business Association, Kathy Mand-Beck, Dick Wegner, Kim Jensen, Clarence Scherer, Bill Cammack, Pam Wegner, Gail Hill, Mary Ann Scherer, Jan Luser, Jane Lautenbach, Seth Wilson, Kaaren Northrop, and a few other persons.

The meeting was called to order at 6:00 p.m. by President Nancy Fisher to conduct the public hearing on amending Code 152.048 for off-street parking.

### **Public Hearing on Amending Code Section 152.048 – Off Street Parking**

Clarence Scherer spoke to Page one, Item one, sentence 2 stating he didn't see a need for this as it would be hard to administer. Scherer also spoke to the last page item h, third sentence feels "in perpetuity" may not be necessary.

Seth Wilson of Chocolate Chicken stated he pays for public parking in front of his business area for snow removal, and wanted to know whether those parking spaces would be considered his parking. Van Lieshout clarified that the Code amendment deals only with on-site/off-street parking. The roadway parking stalls throughout the Village are irrelevant of whether there is a business adjacent to it.

Mike Fitzgerald – stated he is in favor of a parking ordinance but cautions delay of adoption of the ordinance for thirty days to allow for understanding and absorption of the ordinance. A parking study should be made to prior to adoption of the ordinance and recommendations can be made for a solution of the Village parking needs.

Fitzgerald further suggested a timeline of three years for the ordinance to take effect, a grandfather clause to make it fair for the existing businesses, and consult the County parking plan.

Kim Jensen suggested a two-year timeframe. President Fisher suggested a compromise with a sunset of December of 2012.

At 7:08 the Public Hearing closed.

### **Pledge of Allegiance**

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

2. Approval of Minutes March 8, 2010 Village Board meeting,

Fisher moved to approve the Minutes of the March 8, 2010 meeting, seconded Fitzgerald. Motion passed unanimously.

Approval of Minutes March 24, 2010 Special Village Board meeting

Dickson moved to approve the Minutes of the March 24th, 2010 meeting, seconded Anderson. Motion passed unanimously.

3. Open Session (10 Minutes)

Marilyn Robinson of the Census Committee spoke to the public to recruit census workers.

Barbara Cammack spoke to the misplanning of census workers who have repeatedly come into the neighborhood time after time when there is no one around.

Bill Cammack asked how well the bureau is following up on the information the bureau already have, as he qualified for the work many months ago but there has been no follow-up.

Karen Peterson spoke to the Dock Road north of the Dock area that has been blocked off to vehicle traffic and a number of people have inquired how the south end of Dock Road can handle all the traffic that otherwise plans to use it as a through traffic area. Fitzgerald claimed that there is room for turn-around area. Van Lieshout stated

proper notice will be made when the project is nearing completion. The purpose of the closure is to reduce pedestrian/vehicle conflicts using the Dock Park and Dock area.

Fisher thanked office staff who spent extra time for spring clean up in the office on a recent Saturday.

Fisher announced the next meeting of Egg Historical Society at 6:30 p.m. on April 20<sup>th</sup>.

Congratulations were given to Chris Anderson and Mike Fitzgerald on their re-election as trustees.

Congratulation was also extended to Anderson on appointment to the Birch Creek Board.

#### 4. Presentation of 2009 Audit – Paul Denis of Schenck Business Solutions

Paul Denis walked the board through the management letter, explaining how the governmental fund and sewer enterprise fund reporting is handled.

Discussion referenced the Internal Control over financial reporting notations by the auditor on pages 33 and 34 of the audit and recommended changes for the material deficiency of internal control.

#### 5. Village Officers and Commissions

##### a) Village President

###### i) Peg Egan Performing Arts Center (PEPAC) and alcohol vendor arrangements for Summer Concert Series

Fisher referenced an email from Terry Lundahl of Dragonfly Agency that she had engaged the Ladder House as food and beverage vendor for the Summer Sunday Concerts.

A brochure of the summer concert schedule was provided to the Board.

###### ii) Meeting regarding establishment of a Fire District on March 29, 2010

Fisher reported that she and Chris Anderson attended the second meeting of northern Door County area municipalities, and referenced a power point presentation that Chris Hecht made. The power point will be shown at the April 21 joint board meeting. Another meeting of the multiple municipalities will take place in the fall. Anderson added that Hecht admitted a fire district may be the answer in the future, but not immediately.

iii) Appointment to Commissions, Committee – Zoning Board of Appeals – Bruce Hill Fisher moved to appoint Bruce Hill to the Zoning Board of Appeals, seconded Fitzgerald. Motion passed unanimously.

iv) Be Kind to Animals Week Fisher announced that it is expected the County Board will declare the first week of May as Be Kind to Animals Week and there will be a celebration at Liberty Square to support this. A notice was provided in the packet.

v) Adoption of Ordinance Establishing a Public Arts Committee Fisher moved to adopt the ordinance, seconded Anderson. Motion passed unanimously.

vi) Discussion regarding public safety services Fisher referenced that previous discussions have not brought up the immediate need for safety control and Mike Fitzgerald and she will look through the summer at what the needs may be for the Village as far as such a position. Fisher asked the board to consider whether they would like to explore these needs further on an authoritative figure such as for promoting public safety, enforcing ordinances, etc.

Fitzgerald stated he has the recommendations of Sheriff Vogel for the Village to use an enforcement officer.

Karen Peterson spoke as a representative of the Egg Harbor Business Association that is supportive of the Village going forward on the issue.

vii) Knox Box Fisher referenced the actions the Village has recently taken to support the enforcement of the Knox Box ordinance within the Village in conjunction with the Town Board's activity of same. There will be discussion of further coordination of compliance efforts between the Town and Village at the future April 21 Joint Town and Village Board meeting.

##### b) Plan Commission

i) Comments and remarks from committee Chair – Anderson commended the Plan Commission and the study group committee members who have committed a lot of time to make the progress they have made, and to make the recommendations they have and have yet to make on improving the zoning in the Village. Dr. Kevin Vonck assisted the study group and the Plan Commission by giving direction and input on what other communities are doing.

ii) Downtown strategy project update – Anderson reported this project is coming along. There is a rough draft completed for the Commission to review. The commission will be looking at this in the near future and make a recommendation to the Board.

iii) Recommendation to the Village Board to adopt the Resolution adopting the Bicycle and pedestrian Plan  
Anderson stated the Plan Commission has worked with a representative from the Bicycle Federation who answered questions and made recommendations to the Commission and helped prepare the draft. Anderson moved to adopt the resolution approving the adoption of the Bicycle and pedestrian plan, seconded Dickson. Motion passed unanimously.

iv) Plan Commission Study Group Activities – Anderson stated the group completed their last meeting on the sign ordinance that will come to the Board for the June meeting after review by the Plan Commission. The consensus of the committee was to not hold up the adoption of the ordinance because of the grandfathering issue. The group presented a memorandum for the board to consider and approve the adoption of the ordinance. Anderson presented an amendment to the ordinance addressing of the grandfathering to be incorporated within the adoption of the ordinance on the floor.

v) Consider Adopting Ordinance amending Code Section 152.048 – onsite parking requirements – Karen Peterson spoke that there should be a timeframe to sunset the penalty in association with non-compliance of the ordinance.

Keeping the fee reasonable was made by Anderson

Scherer suggested on page three, item (h) delete “in perpetuity”, substitute “if”.

Scherer also mentioned on page one, item (1) – Section two as mentioned in open session was not necessary.

Kathy Mand Beck asked how the ordinance is planned to be enforced. – Van Lieshout stated that it is adding a step to the enforcement issues, but periodic inspections will address the compliance. Anderson moved to adopt the ordinance to include the amendment language, seconded Fisher. Van Lieshout asked the Board to consider changing Item (2) (c) first sentence, “The owner can a make an annual payment”; (delete) annual. Anderson amended motion to include Van Lieshout’s recommendation. Fisher amended her second.

Fitzgerald asked for delay of adoption due to the multiple changes to give the Board time to interpret the suggested changes. Cammack called for the question. Motion passed with four voting in favor, Fitzgerald opposing. Most of the audience left at this time.

c) Harbor Committee

i) Comments and remarks from Committee Luhr construction is making good progress and about half of the finger piers are assembled and work is progressing well. Several subcontractors are on site at work.

ii) Harbor and Marina Improvement Project –

iii) Harbor and Marina Operations Plan Fisher stated Harbormaster Steve Smith will be back at the end of the week and will make up more signage for better traffic control. There will be intermittent periods when the launch ramp will be open and closed and signage will be placed at the top of Dock Road indicating so.

iv) August 14, 2010 Marina Grand Opening Plans – Van Lieshout stated that plans are progressing.

d) Public Works Committee

i) Comments and remarks from Committee Chair

Cammack deferred comment to Van Lieshout as she has been away for the past two months. Van Lieshout stated the following is to be addressed by the Public Works Committee.

ii) Peg Egan Performing Arts Center Long Range Planning – The long range planning includes a vendor concession stand/building as well as a changing room for performers.

iii) Electrical Service Improvements at Peg Egan Performing Arts Center The Village has applied for a grant to improve the parking lot both at Village View and the Beach Park where the erosion problem exists. Van Lieshout stated this issue needs to be addressed soon with or without the grant money. He feels another water absorption area is necessary to temporarily resolve the erosion issue.

Additional action is being made to provide for more parking within the Beach Park area.

Van Lieshout stated the County crew has been doing some brushing along side some of the roads.

There is some clean up that needs to be done along Horseshoe Bay Road.

e) Administration Committee

i) Comments and remarks from Committee chair Fisher referenced the March 25<sup>th</sup> committee meeting. Fisher stated the marina section of the Village web site will be updated and a move toward a more marketing aspect with regard to the marina.

f) Clerk-Treasurer

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

ii) Consider Application for Class "B" Beer License Thomas S. Young and Elizabeth S. Young at 7821 Horseshoe Bay Road, Unit 1 Fisher introduced Tom Young and the application. Fisher moved to approve granting the Class "B" Retail license to Thomas Young, seconded Anderson. Motion passed unanimously.

iii) Application for Operator's License - Charles T. Ryan beginning May 1, 2010 Fisher moved to approve contingent upon successful completion of the beverage server class, seconded Cammack.

iv) Consider application for a Temporary Class B retailers license, Northern Door Legion Baseball Team and Temporary operator's license for Mark Sawyer May 29 with rain dates May 30 or May 31, 2010 Fisher moved to approve the temporary class "B" retail license for Northern Door Legion Baseball Team, seconded Cammack. Fisher moved, Cammack seconded to approve the temporary operator's license for Mark Sawyer. Motion passed unanimously.

g) Administrator

i) Online payment of fees for services Van Lieshout spoke to online payment of fee for and is awaiting a proposal from a vendor for same.

ii) 2009 Room Tax Revenues Van Lieshout stated that last year was a unique situation with the down turn of the economy and for Mariner Motel due to the death of the owner, but the motel will be open this year and the economy shows slow improvement.

At 8:38 p.m. Fisher moved to go into closed session for the two following issues, seconded Anderson, Fisher aye; Dickson aye, Cammack aye; Anderson aye, and Fitzgerald aye.

iii) 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.

iv) Closed Session per 19.85 (1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session as related to Fire Station Number 1 and the Intergovernmental Agreement

a. Approval of closed session minutes – March 8, 2010 and March 24, 2010

6) Open Session At 8:53p.m. the Board returned to Open Session.

Fisher Stated the Village will await the results of the Town annual meeting vote with regard to Fire Station No. 1 and will move forward toward the April 21 Joint Board meeting.

Fisher stated Bill Schuster and Amanda Surfas will be making a presentation to the Door County Property Owners relating to the Beach Park Improvement program and this may take place on June 8<sup>th</sup> or Wednesday June 9<sup>th</sup>. This may benefit other municipalities who are considering a beach improvement program too.

7) Adjournment. Fisher moved to adjourn at 9:00p.m., seconded Fitzgerald. Motion passed unanimously.

Recorded by Patricia C. Gureski, Clerk-Treasurer