

APPROVAL PENDING

Call to Order and Roll Call President Fisher called the meeting to order at 6:00 p.m. with roll call followed by Pledge Allegiance to the flag.

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

Also present: Peter Devlin of Door County Advocate, Jack McCoy, Joe Melendes, Bruce Hill, Steve Schaefer, Tom Kispert of McMahan Associates, Jack Jackson, Diane Lubarski, Kathy Navis

1. **Approval of the Agenda**

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

2. **Approval of Minutes May 12, 2008 Regular Board Meeting,** Fisher moved to approve the minutes of May 12, 2008 regular board meeting, seconded Mueller. Motion passed unanimously.

3. **Open Session.** Jack McCoy spoke on the outdoor lighting and requested his copy of his e-mail of June 9 be attached to the minutes.

Steve Schaefer asked if this board would consider a public referendum on the marina project.

Fisher responded a formal petition would be the process to use.

President Fisher thanked Josh Van Lieshout, Jeff Meyer and Larry Desotelle for weekend help taking care of a fallen tree. The weekend free-fishing activities at the marina were successful. The deadline for the third quarter Newsletter issue will be two weeks from today, June 23.

4. **Tourism Zone Commission** Fisher commented on the successful first year of the Door County Tourism Commission and introduced Bruce Hill who spoke to the two following documents to be considered for approval by all participating municipalities.

I) **Approval of By-Laws as Written** Dickson moved to approve the Door County Tourism Zone Commission by-Laws, seconded Fitzgerald. Motion passed unanimously.

ii) **Approval of Agreement as Amended May 28, 2008**

Hill pointed out some of the features of the amended copy such as lesser bonding for officials, annual meeting date and officers; lodging permits changed from one-year to five year duration; exemption terms; separation of secretary treasurer position; formation of an executive committee for approving signing of bills, etc. Dickson moved to approve the amended Door County Tourism Zone Agreement as amended, seconded Mueller. Motion passed unanimously.

5. **Consider License renewals and new Alcohol licenses as listed. Combination "Class B"**

Fisher moved the "Class B" Liquor License and Class "B" alcohol license be granted to **Mojo Enterprises III, LLC, Kimberly Jensen**, Agent at 7778 Hwy 42 seconded Anderson. Motion Passed unanimously.

Fisher moved the "Class B" Liquor License and Class "B" alcohol license be granted to **Casey's of Door County Inc, Matthew Peterson**, Agent at 7855 Hwy 42, seconded Mueller. Motion passed unanimously.

Fisher moved the "Class B" Liquor License and Class "B" alcohol license be granted to **Alpine Inc., William D. Bertschinger**, Agent at 7715 Alpine Road, seconded Fitzgerald. Motion passed with Mueller abstaining.

Fisher moved the "Class B" Liquor License and Class "B" alcohol license be granted to **C & N Corporation, Robert P. Pollman, Jr**, Agent for Shipwrecked at 7791 Hwy 42, seconded Dickson Motion passed unanimously.

Fisher asked to consider the license renewal for Bub's Pub and Grub to end of this agenda section.

Fisher moved the "Class B" Liquor License and Class "B" alcohol license be granted to **The Orchards at Egg Harbor, LLC, Jack Jackson**, Agent at 8125 Heritage Lake Road, seconded Anderson. Motion passed unanimously.

Class "B" Beer and Class "C" Wine

Fisher moved the Class "B" Beer and "Class C" Wine licenses be granted to **MOJO Enterprise, LLC, Kimberly Jensen**, Agent for Village Café at 7918 Hwy 42, seconded Mueller. Motion passed unanimously.

Fisher moved the Class "B" Beer and "Class C" Wine licenses to granted to **Marjeron LLP, Ron Perley, and Jerome Spitz partners** at 4655 County E, seconded Dickson. Motion passed unanimously.

Fisher moved the Class "B" Beer and "Class C" Wine licenses be granted to **Harbor Landing LLC, Roy Back**, Agent at 7829 Hwy 42, seconded Dickson. Motion passed unanimously.

Fisher moved the renewal Class "B" Beer and "Class C" Wine license to **Wegner/Anderson LLC, Chris Anderson**, Agent at 7755 State Hwy 42 doing business as **The Bistro**, seconded Fitzgerald. Motion passed with Anderson abstaining.

Class "A" Beer and Class "A" Liquor

Fisher moved the Class "A" Beer and Liquor License be granted to **Made In Britain, Ltd., Gary Sedan**, Agent at 7828 Hwy 42, Units G & H, seconded Anderson. Motion passed unanimously.

Fisher moved the Class "A" Beer and Liquor License be granted to **Wegner/Anderson LLC, Chris Anderson**, Agent at 7755 Hwy 42, seconded Mueller. Motion passed with Anderson abstaining.

Fisher moved the Class "A" Beer and Liquor License be granted to **Robert H. Mueller**, Agent for Mueller's Mini Mart LLC at 7784 Hwy 42, seconded Fitzgerald. Motion passed unanimously.

Fisher moved the Class "A" Beer and Liquor License be granted to **MSM Ltd, R. David Callsen**, Agent at 7770 Hwy 42, seconded Mueller. Motion passed unanimously.

Fisher moved the Class "A" Beer and Liquor License be granted to **Greens N Grains Inc, Kathy Navis**, Agent at 7770 Hwy 42, seconded Dickson. Motion passed unanimously.

Original Licenses to be granted from July 1, 2008 to June 30, 2009

Fisher moved the "Class A" Liquor License be granted to, **Ashbrooke of Door County, Inc. Fred Anderson**, Agent at 7942 Hwy 42 seconded Mueller. Motion passed unanimously.

Fisher moved the "Class A" Liquor License be granted to **Bay Point Condominium Owners Association, Myles Dannhausen**, Agent at 7933 Hwy 42 upon receipt of documentation, seconded Dickson. Motion passed unanimously.

Fisher moved the "Class A" Beer License be granted to **Spinnaker Properties of Door County LLC, Bruce Hill**, Agent at 7928 State Highway 42, seconded Fitzgerald. Motion passed unanimously.

Temporary

Fisher moved to approve the temporary class "B" Retailers License for Egg Harbor Lions Club July 4 at Harbor View Park and Park use July 4, seconded Mueller. Motion passed

unanimously.

Fisher brought up the license application of Wm and Denise Hanusa doing business as John Henrys and addressed the fact that John Kafka's involvement may be problematic. JVL spoke to the issue that WVC was consulted due to the fact that is suspected John Kafka may be operating the business under his license as a subleased entity. Dickson stated he spoke with Hanusa who stated the business is being operated under his license and Kafka is an employee. Mueller moved the "Class B" Liquor License and Class "B" alcohol license be granted to **Bub's Pub and Grub Inc., Denise Hanusa**, Agent at 7740 Hwy 42, doing business as **John Henrys** seconded Dickson. Motion passed unanimously.

6. Consider License renewals and new Tobacco licenses as listed.

Fisher moved to grant tobacco licenses to: Casey's of Door County Inc., Alpine Inc., The Orchards at Egg Harbor LLC, Mueller's Mini Mart and Main Street Market Ltd., seconded Fitzgerald. Motion passed unanimously.

7. Consider Operator's license renewals and new Operator's licenses as listed

Fisher moved to approve renewal operator's licenses for: Emily Pitchford, Cindy Livingston, Carey Bertschinger, David Pitchford, and Christy Bertschinger at The Alpine Inc.; Joseph P. Smith, Judy Turk and Stacy Sawdo At Shipwrecked; Mary Mueller, Margaret Sampone and Robert J. Mueller at Mueller's Mini Mart; Kyle Bley and Steve Northrop at Main Street Market Ltd.; and Kim Schroeder at The Orchards of Door County.

Fisher moved to approve the following new operator's licenses: Seanna Buhk at Caseys Inn of Door County Inc. (Provisional issued); Leah Posada at Caseys Inn of Door County Inc. contingent upon receipt of certification; Kathleen Anderson at The Bistro (Provisional Issued); Thomas Girman at The Orchards of Door County (pending documentation of previous license at Town of Egg Harbor; Jason Nimmer at The Orchards of Door County (pending documentation of previous license at Town of Egg Harbor; Amanda Enderby at The Orchards of Door County (pending documentation of previous license at Town of Egg Harbor; Stephanie Schill at Mojo Rosas; John Kafka Jr. at John Henrys (Provisional issued); Duane Bavlnka for the Lions club; Corrina Wedtke at Bay Point Inn; Myles Dannhausen At Bay Point Inn; Matt Streckenbach at The Alpine Inc.; William Pitchford at The Alpine Inc. seconded Mueller. Motion passed unanimously.

8. Appointments to Commissions and Committees

Fisher moved to reappoint Ken Mathys, Jr. to the Harbor Committee for a term ending May 2011, Don Helm to the Public Works Committee for a term ending May 2011, Jim Spolarich Chair to the Zoning Board of Appeals Committee for the term ending May 2011, Bruce Hill to the Door County Tourism Zone Commission for the term ending May 2009, and Tom Conley to the Public Works Committee for a term ending May 2011; seconded Dickson. Motion passed unanimously.

9. a) Plan Commission Update on Comprehensive Plan Process

Fisher stated the Master Comprehensive Plan's public input meeting was held last Tuesday, June 3; and thanked Bill Edwards of the Town of Egg Harbor and Myrv Sommerhalder of Gibraltar for participating. The next move is to meet with Town of Egg Harbor Plan commission. Jon Bartz will be in touch with Bay Lakes Plan Commission who has worked with the Town on their plan, and expect a meeting on June 24 with the Town of Egg Harbor Plan Commission.

b) Recommendation to adopt Ordinance Creating Chapter 157 Outdoor Lighting Regulations

Fisher introduced the final revision of the outdoor lighting ordinance. Fisher moved to approve the ordinance creating chapter 157, seconded Dickson. Van Lieshout stated it is suggested the

Village do lighting for Church Street yet this year; STH 42 where sidewalk extensions will be placed next year and replacement of the existing will have to be looked at in the future.

Voting on the motion was unanimous.

10. a) Municipal Taxpayers commission Report

Fisher reported on having attended a meeting of the municipalities representing the Municipal Taxpayers Commission on Thursday May 29. Those present decided to retain the Commission as an entity with a \$1600 treasury. The remaining funds will be returned to the municipalities.

b) i) Marina Rebuild Project Update Fitzgerald spoke of the meetings that were held with the Waterways Commission, the WDNR and Peninsula Shore Condominium Association. Fisher stated two designs will be at the public hearing on June 30 conducted by the WDNR personnel Van Lieshout sated there are three parts of the hearing: 1) whether navigation has been materially obstructed; whether there is detriment to the public interest and whether the flood flow capacity of a stream is materially reduced.

The two designs going to the hearing are Option A, the Village's original design staying within the riparian zone and Option D which is a compromise with DNR on the length of the structure but encroaches the non-exclusive riparian zone of the neighbors to the south.

ii) Marina Operations Report

The Board complimented the marina personnel for conducting the free fishing days. Steve Smith made a report, stating the marina had a slow start due to weather and high gas prices. A number of boats haven't arrived yet. Repairs have been made to make the operations safe and favorable to the users. There are about four or five new tenants in the marina this year. There will be an upcoming national marina day August 8th. He conducted a staff training session where they received a handbook for operations. Gas sales are behind last year but they are being optimistic. This weekend there will be safety check by the Power Squadron for boats. There will be races sponsored by the EHYC again this summer.

c) i) Public Works Committee report on Troup Cottage Demolition

Tom Kispert stated the demolition is complete. The certificate of final payment is being processed.

ii) Recommendation to proceed with purchasing directional street signs

Mueller reported on the June 3 meeting of the Public Works committee who recommended proceeding with the street identification signs. Van Lieshout will need to check if these signs would be in conflict with the Code if they relate to off-premise signs.

Fisher moved to table discussion to the July meeting, seconded Mueller. Motion passed unanimously.

Fisher stated there is no signage identifying the Peg Egan Performing Arts Center and proposes the Village have a sign of some sort make a temporary sign as soon as possible, as the first performance is the 15th.

iii) Recommendation Beach Park Beach Improvement project

Mueller spoke to the beach improvement project sponsored by Door County Soil and Water, Miller Engineers Scientists and UW-Oshkosh. Mueller stated the Committee recommends to the board to move forward with the beach park beach improvement. Van Lieshout explained the water quality improvement plans to the board. Topography maps will be prepared on the Troup property to determine how the Troup property can be incorporated into the beach improvement

plan. A suggestion was made to have Miller prepare a rendering as to how the beach would look. Consensus of the board was in favor of the rendering. Discussion focused on the fact the Village needs to plan on the use of the Troup property. Van Lieshout mentioned some of the suggested uses are an open air pavilion, a three season's pavilion, a concession shack; a dinghy rack and kayak rack and launch area. The Troup beach area needs to be cleaned up from growth. Fisher asked the board to consider what the Village's vision is for the Troup property for discussion at the July meeting. A permit needs to come from the WDNR to remove rip rap or dimension rock. The board will proceed with this issue at the July meeting.

iv) Recommendation on street lighting on Church Street and STH 42

Van Lieshout stated the cost of replacing the lighting on STH 42 would be a major project and the Public Works Committee preferred to concentrate on Church Street for this first project. The total cost for engineering Church Street is estimated at \$6950. Fisher moved to undertake engineering of street lighting with McMahan Associates for no more than \$7000 for Church Street lighting from County E to Harbor School Road, seconded by Mueller. Motion passed unanimously.

Five minute break.

d) i) Utility Committee 2008 Sanitary Sewer Extension Update

Kispert stated the paving remains to be done on Mariner and Moonlight projects. The saw cuts will be revised this week and pavers will move in shortly thereafter.

ii) Recommendation to adopt special assessment policy for sanitary sewer construction

Dickson explained this policy was developed to standardize the Village policy for assessing for construction. Dickson moved to approve the Utility Assessment Policy, seconded Mueller. Motion passed unanimously.

11. Clerk-Treasurer financial reports.

Gureski stated there were no changes to the report. The Assessment roll arrived this week and is available for viewing by the public. Jack McCoy asked if the error in the financial statements was corrected. The response was yes. He also asked if the Board is monitoring the consultant fees and might look at the expenditures of over all consulting fees, starting back to the time of Public Management Partners, JJR LLC, etc. The response from the Board is that fees are within budget.

12. a) Sound System Equipment for Peg Egan Performing Arts Center

Van Lieshout reported that a sound system had been temporarily set up as a result of the approval at the May 2008 meeting, but turned out to not be a viable set up. After consulting with consultants from both Sturgeon Bay and Sister Bay, a revised design and list of equipment was prepared by Larsen TV Sales and Service. This is an increase over the \$5900 that was approved at the May meeting. Mueller moved to accept the proposal from Larsen TV Sales and Service for \$8473.20 for the sound system for Peg Egan Performing Arts Center, seconded Fisher. Motion passed unanimously.

b) Temporary Parking for Peg Egan Performing Arts Center events

Van Lieshout spoke of the plans for temporary parking across from Peg Egan Performing Arts Center and is having the Public Works personnel working on it. It will not be ready for this weekend's performance, but hopefully by the 22nd.

c) Ordinance Amending Chapter 70.02 (C)(1) and 70.02(C)(1)(c) prohibiting use of neighborhood electric vehicles on STH 42

Fisher referenced a letter from the WDOT dated May 30 objecting to use of Neighbor Electronic Vehicles on STH 42. Van Lieshout stated the proposed change will satisfy the WDOT. Fisher moved to approve ordinance 2008-07, seconded Mueller. Motion passed unanimously.

d) Approval of Proposal for Professional Service Providing Technical Review for Engineering and Design of the Harbor Break Water and Marina

Van Lieshout explained that Mike Kahr of Death's Door Marine, Inc. has been consulted over a number of marina projects. The Harbor Committee wanted a check and balance consultant on the work that is progressing on the marina project. He has helped check contractor pricing. He volunteered to assist with the discussion with the WDNR and his services were accepted.

The proposal from Mike Kahr is for consulting at a rate of \$155 per hour.

Fitzgerald moved to accept the proposal not to exceed ten hours of chargeable time with the administrator working out the details, seconded by Mueller. Motion passed with Fisher abstaining.

e) Approval of Proposal for Professional Services for Public Information campaign regarding the Harbor Redesign Project

Fisher presented a marketing proposal from Boettcher Communications regarding the marine project. The scope of services is \$800 for graphics and \$200 for each press release.

The objective is to prepare an in depth promotion to take to the Water Ways Commission and some of which can be used on the Village Web page and general public promotion.

Fisher moved to approve a contract not to exceed \$1500 for the purpose of marketing the marina project, seconded Fitzgerald. Motion passed unanimously.

f) Ordinance Amending Chapter 71.01(D)(2) Parking Code, prohibiting vehicle with trailer parking on Dock Road

Fisher moved to approve ordinance 2008-08 to amend parking Code 71.01 to prohibit vehicle with trailer parking on Dock Road, seconded Dickson. Motion passed unanimously.

g) Resolution adopting Annual Compliance Maintenance Annual Report

Fisher moved to approve the resolution, seconded Dickson. Motion passed unanimously.

h) Consider approval of Event License: Terri and Roy Back, "The Tent Fair", July 3, 4, 5 at 7829 STH 42 Fisher moved to approve the event license, Fitzgerald seconded. Motion passed unanimously.

i) Consider approval of Event License: Door County Charities "Pumpkin Patch". No Date and Time Listed. Temporary Class "B" Retailer License for Door County Charities October 11, 2008 at Parking Lot of 7810 STH 42.

Fisher moved to table this item to the July 14 board meeting, seconded Anderson. Motion passed unanimously.

13. Open Session.

Steve Schaefer stated the Peninsula Shores is concerned about the design D protruding into the riparian design of Peninsula Shores condominium property.

Joe Melendes asked the board if they have a cost estimate limit on the rendering to be sought from Miller Engineer Scientists. The board then directed administrator Van Lieshout to inquire on a cost before going forward with the rendering.

Kathy Navis requested the board to reconsider the fee structure for Class A licenses for liquor that was increased from \$200 to \$500.

Fisher announced the Egg Harbor Business Association is looking for help for the concerts at Peg Egan Performing Arts Center selling refreshments and taking free will donations. The annual Board of Review is scheduled for Thursday June 19 at 1:00 p.m.

14. Adjournment

Dickson move, Fitzgerald seconded to adjourn at 8:52 p.m.

Recorded by

Patricia C. Gureski, Clerk-Treasurer