

**TOWN OF GIBRALTAR
REGULAR MONTHLY MEETING
WEDNESDAY AUGUST 3, 2016**

Approved: October 5, 2016

Call to order: Dick Skare, chairman called the regular monthly meeting to order at 7:00 p.m.

Roll call / quorum:

Board members present: Dick Skare, Brian Merkel, Steve Sohns, Brian Hackbarth and Barb McKesson

Agenda/proper notice/adopt agenda: *Motion: (Sohns, McKesson) to approve as amended, payment of bills before closed session. Carried*

Approve minutes of previous meeting(s): *Motion: (Hackbarth, McKesson) to approve the June 1, 2016 Board of Review minutes. Carried Motion: (Hackbarth, Sohns) to take from the table the minutes of the June 1st regular meeting. Carried Motion: (Sohns, Hackbarth) to approve the minutes of the June 1st regular meeting. Carried Motion: (Sohns, Merkel) to approve the minutes of July 6th as presented. Carried Motion: (Hackbarth, McKesson) to approve the minutes of July 12th as presented. Carried Motion: (Sohns, Merkel) to approve the minutes of July 20th Board of Review as presented. Carried Motion: (Hackbarth, McKesson) to approve the minutes of the July 20th special meeting as presented. Carried Motion: (Hackbarth, Merkel) to approve the minutes of the July 27th special meeting as amended. Carried*

Committee reports

Parks & Lands Committee: Brian Hackbarth stated a new sign has been installed at Champagne Rock and the sign at Sunset Beach has been relocated as planned.

Fire Department & EMRs: Chief Anderson reported there was a mutual aid call for a brush fire on Washington Island. MABAS cards were successfully used during this incident. New equipment training was held on Chambers Island was held last Saturday.

Noble House: Laurie Buske stated museum and trolley tours are up. Audio walking tours have doubled this season; the sponsors were thanked. A Gibraltar Talks will be held at the Old Town Hall at 7:00 p.m. on maritime markers.

Watershed/Plan Commission: No watershed report.

Airport: Martin Franke stated the new construction is coming along nicely, paving is complete. Striping will be done in about 3 weeks. The lease is standardized with a 3% or CPI inflation rate.

Harbor Commission: Dave Harris stated everything is on track and a great summer across the board. Harris specifically thanked Kelly Murre for all her assistance with the dock. Compliments were received on the dock master and staff. The fuel dock has been raised.

Room Tax: Bill Weddig reported revenues are up about 5% in dollars for the total zone (Gibraltar 1%).

Building Committee: Karl Stubenvoll stated inspections were done of the airport and fire department. The new shop building foundations finished are done and drains are nearly complete.

Clerk: Beth Hagen stated that the party preference selection on the primary ballot next week is not the same thing as a straight party vote in a General Election. Marking the party preference will ensure that a vote is counted for that party's candidate if the voter inadvertently also marks a vote for a candidate in another party. If you have any questions on this please stop in or call our office; also the Voter ID law is in full effect for Tuesday's election as well. The DCCB's coloring books are out to the visitor centers and are going quickly.

Chairman: Dick Skare welcomed the town's two new employees, Police Officer Justin Farley and Maintenance Supervisor Patrick Strantz. Tim Biwer has retired and was thanked for his years of service. Skare met with John Kolodziej on road projects. Skare will be attending the CIA Annual Meeting on Saturday.

County Supervisor: Steve Sohns stated the news on Airport and Parks is there will be no races held this year. Phase 2 of the Senior Center and EMS building bid package and final bids for demolition were voted on.

Public comment:

- Paul Woerfel expressed concern about pesticide spraying of the beach.
- Karl Stubenvoll expressed his appreciation and the convenience of emailed agendas.

Special event request: Peninsula Pacers LLC, 9/17/2016 use of Clark Park, 2 tents, directional signs and chalk markings on route, Port a Potties: Brian Fitzgerald requested use of Clark Park for an aid station. There would be 4 Port a Potties, 2 10' x 10' tents and approximately 200 – 250 cyclists. The cyclists will be coming through from 7:30 – 9:30 a.m. There were no concerns from law enforcement. *Motion: (Hackbarth, McKesson) to approve the event as requested. Carried*

Consideration of land purchase for public purposes: Ruth M. York Trust, 4108 Main Street, Parcels # 014-150302B and 014-150303B, parcels are on the east side of the Fish Creek Beach: Skare gave a recap of the town board's participation with the offering of the York property.

- 6/13/16 Town offer \$ 490,000 York's asked for extended response time
- 6/20/16 Town offer \$ 490,000 Offer with extended response time – York's declined
- 7/6/16 York offer \$1,400,000 Offer before listing with broker – Town declined
- 7/13/16 Town offer \$ 850,000 York's declined
- 7/21/16 Town offer \$1,100,000 York's declined
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The town board sees this as an important property in the overall picture of the enhancement of the town, whether it be the Comprehensive or Waterfront Plans. The board is wanting to know the thoughts, concerns and direction of the public and so has brought this agenda item forward. By statute the town electors have the determining vote on the purchase of property – this is not the case this evening. A special meeting of the electors would need to be scheduled for that question to be posed and answered. An elector is someone who meets all the qualifications to vote in an election. This individual may be a registered voter but it is not required. Voter qualifications include being a US citizen, age 18 or older on or before Election Day and have resided in an election district or ward for 10 consecutive days, with no present intent to move before any election where the citizen offers to vote.

Audience members, not being limited to electors only, voiced the following comments, questions and concerns.

- Limitations on the beach property – due to high water setbacks and the setback from the highway there is not sufficient area to install permanent restroom facilities
- The current parking lot is part of a roadway that cannot be abandoned. A municipality cannot land lock a parcel
- ROW on Brown Avenue is 66'
- Property taxes for 2015 are \$4,786 of which the town receives \$1,201
- Assessed value of the 2 parcels are \$490,000
- For discussion purposes only an approximation of the cost per thousand of 11 cents was given based on a purchase price of \$1,500,000
- Appraisal – the York's stated in their correspondence that an appraisal would be done in July
- The Goode's property to the west of the beach - might that be an option; Mr. and Mrs. Goode declined
- The property compliments the Waterfront Master Plan
- A limited number of handicapped parking spaces is a concern that should be addressed
- Could not see passing up this opportunity
- Needs to be seriously considered
- Main concern is the beach and lack of facilities
- Purchase price the board should consider - \$1,400,000 to \$1,500,000
- A right of first refusal was recommended
- There was concern that property values/sales will be driven up on the shore but in were in favor of the purchase
- The town should consider any property that becomes available in light of the overall needs of the town
- Would a bulkhead line impact the property? Pros and cons to a bulkhead; it has not been thoroughly explored at this time
- For clarification: there is no plan to acquire all the properties along the waterfront; abandoning Brown Avenue would allow for options to be explored

An advisory vote of audience members was taken on a purchase price of \$1,400,000. 35 audience members in favor, 0 opposed.

Fire Department update: Fire Chief Jerrad Anderson since the last report not a lot has changed, the department is happy with where they are in reference to organization and operations. Recruitment efforts have picked up a couple of people. Officer Crowell as an EMR is huge and Officer Farley is helping as he can. Contact with Tim Mulrane from Gibraltar School has been made. Relationship building continues on Chambers Island along with pump training, and drop tanks. Twenty-three people came to the last training event. The tender is still on the island.

CERT Program presentation: Chief Anderson introduced the concept. CERT Program started through FEMA; a governing body sets what the team can do. The standard operating procedures and guidelines (SOP's/SOG's) outline and determine the level of training required for each piece of equipment/procedures for the program. Detailed records will be kept on each individuals training certifications. SOP's and SOG's are a working document as it will be

modified as new equipment and procedures are added. Parameters of volunteers and liabilities are covered under the Volunteer Protection Act, it is the responsibility of the volunteer to acknowledge the program. *Motion: (Skare, Sobns) to support this program and develop a resolution at the appropriate time and to continue the CERT program. Carried*

Remove from the table Airport financial presentation: *Motion: (Hackbarth, Sobns) to take from the table the Airport financial presentation. Carried*

Airport financial presentation: Brett Lecy a member of the Airport Commission was tasked to create a financial presentation. A cash flow analysis was created for August 2015 – July 2016. The main goal is to become cash flow positive. Land lease language is being reworked all leases to pay the same amount yielding long term consistency. Projects have 5% sponsor share. Commission chairman Franke recommended having the town and village set aside \$6,000 annually for future capital projects and maintenance. Lecy was thanked for his work. Franke reiterated set aside a capital improvement for upcoming projects. *Motion (Hackbarth, Sobns) to accept the report. Carried*

Remove from the table: Consideration of fiber connection for Administration data saving and back up: *Motion: (Sobns, McKesson) to remove from the table consideration of fiber connection for Administration data saving and back up. Carried*

Consideration of fiber connection for Administration data saving and back up: Steve Minten, Technical Consultant is in the process of completing a 3-5-10 year tech plan. The town is currently on a cable modem with 100 megabits per second and up at 7-8. The fiber grid is more stable, currently is dropped outside the community building by Charter Spectrum. This fiber would be the vehicle to get to the next level of technology and provide stability, speed, security and future functionality. Merkel stated that Nsight would possibly provide town wide glass service. Additional information from the county is needed. *Motion: (Hackbarth, McKesson) to decline the proposal from Charter Spectrum. Carried*

2016-17 Propane quotes: Three quotes were received: Ferrell \$89.9 cents, Milton \$88.9 cents and Gasco \$83.9 cents. All prices are per gallon. *Motion: (Sobns, McKesson) to contract with Gasco at \$83.9 cents per gallon. Carried*

Chambers Island Dock access road options: Skare reviewed the 3 options laid out by Attorney Dahl. *Motion: (Hackbarth, Sobns) to move forward with Option #3 to include all affected properties that the Chambers Island dock access road crosses by first offering to purchase after the property has been surveyed, and if declined by condemnation. Carried*

Advertise for commercial and residential building inspectors: The ad was reviewed. *Motion: (Hackbarth, Sobns) to advertise as presented. Carried*

Advertise for project management and consulting services: The ad was reviewed. *Motion: (Hackbarth, McKesson) to advertise as amended. Carried*

Advertise for building committee appointment: The ad was reviewed. *Motion: (Sobns, Hackbarth) to advertise as with a full month response time. Carried*

Appointment of Airport Commissioner for term to end September 1, 2019: Two letters of interest were received: Don Freix and Jon Neville. *Motion: (Merkel, Hackbarth) to appoint Jon Neville to the airport commission for a term to end September 1, 2019. Carried*

Determination of 2016 road projects: Road projects options were reviewed.

High Plateau Road - A survey has been ordered from Baudhuin for High Plateau from Hwy. EE to the Dean McNeil's northern property line. Mike McCarty has stated the survey can be completed in 20 days. Skare stated Dean McNeil was agreeable to allowing the trees to be cut and leaving the wood per Tim Biber. The timing of the survey, tree cutting, possible stumping and paving was cause for concern on being able to get the job done this year and the settling if any stumps were pulled after paving. Road brushing letters will be sent to property owners on the road. Maintenance Supervisor Strantz will make the cutting a priority. DCHD quote: 1.006 mile, 20 feet wide. CTH EE to South Highland Road – Hot Mix Pavement - \$95,000; Pulverize, Grade, Compact - \$9087; Misc. Prep, Saw cutting, milling work - \$1300; Shouldering - \$6036; Contingency - \$1500. **Total Estimated Cost \$112,923**

Gardner Court – In addition to option C the ditches should be shaped. (\$2,000 will be allotted for the ditch shaping) DCHD quote: Option C - pave current asphalt portion. 0.281 mile, 20 feet wide, place 2.5 inch lift of Hot Mix, shoulder roadway **\$28,600 plus \$2,000** additional ditch shaping

South Highland Road – 0.393 mile, 20 feet wide, Hot Mix Pavement - \$45,100; Pulverize, Grade, compact - \$4,398; Misc. Prep, Saw cutting, milling work - \$628; Shouldering - \$2,358; Contingency - \$800 **Total Estimated Cost \$53,284**

Daisy Patch Road – Excavate along edge of roadway and place breaker run or blasted stone for erosion control. A total of 252 feet of erosion control is proposed, 162 feet on the south side and 90 feet on the north side **Total Estimated Cost \$2,175**

Peninsula Players Road – 1. Excavate a 344 foot section along the south side of roadway and place breaker run or blasted stone for erosion control. 2. Excavate a 119 foot section, also along the south side of roadway, 23.5 feet wide, and install a paved ditch for water flow. **Total Estimated Cost \$4,650**

Wandering Road - 1. 0.61 mile Causeway to the 40 line – Pulverize, add fill in area identified with Tim Biwer, supply and install culvert, add breaker run and gravel to filled area, and dust oil for dust control and to hold thru winter **\$17,750** 2. 0.25 mile Curve to 40 line Pulverize, add fill in area identified, supply and install culvert, breaker run, and gravel, dust oil. **\$11,435** 3. Widen causeway 0.142 mile Add fill to widen roadside 4 feet on both sides with decent slop to ditch bottom, re-dust oil area disturbed. **\$15,510**

Motion: (Hackbarth, Sohns) to approve the 2016 road projects as discussed. Carried

Shouldering – **Up to \$20,000** as needed. Patrick Strantz to work with the county on needed areas per the Road Review. Watch for areas where gravel could be brought up vs added. Shouldering should be compressed to reduce wash out. A drop of 1.5 – 2” drop should be used as an indicator for shouldering.

Motion: (Sohns, Skare) to approve up to \$20,000 as needed per the Road Review. Carried

Determination of 2016 crack sealing: *Motion: (Sohns, Hackbarth) decline the Fabrner’s crack filling for the year. Carried*

Determination of installation of Rebecca Carlton in reference to Gibraltar Sign Overlay: Linda Merline stated Door County Planning deferred this case to the town. This is in regard to “flags.” The current question is if the flags in question are “art flags.” There is not a definition of an art flag. Hackbarth’s primary concern is fairness. Mrs. Carlton stated this is an art installation, multiple pieces that make a whole. *Motion: (Skare, McKesson) to support the plan commission’s determination that this is an art installation that will expire on October 31, 2016 and will not be reinstalled until a final determination on the review of the sign ordinance has been forwarded to the town. Carried with Hackbarth opposed.*

Payment of bills: *Motion: (Merkel, Sohns) to pay the bills as presented. Carried*

Enter closed session: *Motion: (Sohns, McKesson) to enter into closed session at 11:23 p.m. Carried by roll call vote – Sohns, Skare, Hackbarth, McKesson and Merkel*

Consider motion to convene into Closed Session pursuant to Wisconsin State Statutes, Section 19.85(c) deliberating or negotiating the purchasing of public properties, investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. For the purchase of land for town purposes.

Exit closed session: *Motion: (Hackbarth, McKesson) to exit closed session at 11:58 p.m.*

Approve action taken in closed session: pursuant to Wisconsin State Statutes, Section 19.85(c) deliberating or negotiating the purchasing of public properties, investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. For the purchase of land for town purposes. *Motion: (Sohns, McKesson) to approve action taken in closed session: pursuant to Wisconsin State Statutes, Section 19.85(c) deliberating or negotiating the purchasing of public properties, investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. For the purchase of land for town purposes. Carried*

Adjourn: *Motion: (Hackbarth, Skare) to adjourn at 11:59 p.m. Carried*

Respectfully Submitted,

Beth Hagen, Clerk