

**TOWN OF GIBRALTAR  
REGULAR MONTHLY MEETING  
WEDNESDAY, OCTOBER 4, 2017  
GIBRALTAR TOWN CENTER  
4097 MAIN STREET, FISH CREEK WI  
7:00 PM**

**Approved: November 1, 2017**

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

**Roll call/quorum:**

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

Board members absent: None

**Agenda/proper notice/adopt agenda:** *Motion: (Daubner, Sohns) to adopt the agenda as amended. Carried*

**Approve minutes of previous meeting(s):** *Motion: (Sohns, McKesson) to approve the minutes of September 6, 2017, regular meeting as corrected. Carried Motion: (Sohns, Hackbarth) to approve the minutes of the September 19, 2017, Special Meeting as presented. Carried*

**Committee Reports:**

**Parks & Lands:** Brian Hackbarth reported the 2 dead Ash trees in Cark Park have been removed and 2 new trees planted in the park. The 2 remaining diseased Ash trees may need to be removed over the winter.

**Fire Department/EMR:** Chief Jerrad Anderson stated an entry level training class will begin on October 16<sup>th</sup>. Bob Volpe has been appointed to Captain and Brandon Vander Linden Lieutenant in charge of maintenance. The department will have an open house during Jack-O-Lantern Days on October 28<sup>th</sup> with games for kids from 10 a.m. – 2 p.m.

**Noble House:** Regular and Ghost Tours are running through the fall. Barb McKesson also stated Gibraltar Talks - Gather by the Water will be tomorrow evening at the Old Town Hall.

**Watershed:** Linda Merline reported a water test was done in September, October 12<sup>th</sup> will be the last Water Action Volunteers (WAV) test.

**Airport:** Brett Lecy stated of the 6 new hangars, 2 are finished, 2 will break ground next week and the last 2 are spoken for.

**Planning:** Linda Merline reported the last meeting focused on a conditional use application, reviewing the rewrite of the sign ordinance overlay and the draft Fish Creek Restoration and Improvement Plan.

**Harbor Commission:** No report.

**Room Tax:** Bill Weddig stated the executive committee met and zone proceeds are up 3% over last year. The town proceeds are up 4.4%.

**Building Committee:** Karl Stubenvoll reported the basic construction on the shop is finished. Brian Hackbarth requested compensation for Karl be put on the next agenda.

**Clerk Report:** Beth Hagen stated the budget workshop dates are October 5<sup>th</sup> and 18<sup>th</sup> at 6:00 p.m. and November 8<sup>th</sup> at 7:00 p.m. A meeting of the electors is scheduled for November 28<sup>th</sup> at 6:00 p.m. regarding the 2018 budget.

**Door County Coastal Byways:** Beth Hagen stated there will be at meeting the Baileys Harbor Town Hall on October 18<sup>th</sup> at 8:30 a.m.

**Chairman:** Dick Skare stated the maintenance crew cut all road rights-of-way including lower Cottage Row. The Department of Transportation, Gibraltar Area Schools, Peninsula School of Art, Door County Land Trust and Dick Skare as a representative of the town met earlier today regarding easements associated with the Hwy. 42 project. SEH will have a special meeting with the town on October 19<sup>th</sup> at 7 p.m. for a further discussion on streetscaping.

**County Board:** Supervisor Steve Sohns stated the County Community Center is coming along nicely. Walls are going up on the Emergency Medical Service (EMS) side. Board of Health discussed the West Nile virus transmission via ticks; residents are encouraged to take precautions.

**Public Comment:**

- Kathy Wolff thanked Law Enforcement for their presence which slowed traffic on Maple Grove East.
- Steve Sohns countered the Peninsula Pulse and Facebook comments stating that the food truck issue at White Cottage Red Door is with the County Planning Department not the owners of the food truck.

**Special Event Request: Northern Door YMCA Ugly Sweater Fun Run, Saturday, December 2, 2017, 10:00 a.m. – 11:15 a.m. Closing of Gibraltar Road, Law Enforcement Assistance:** Heidi Erickson gave an overview of the event request. Closure of Gibraltar Road is anticipated for 1.25 hours. It is a fee event. Participants are not limited to adults; families are encouraged. Notice of event will be given to property owners on the road. Peninsula Park will be contacted as a possible alternative to Gibraltar Road. Logistically it is understandable to use Gibraltar Road. Closing of 1 side of the road and limited to local traffic only. *Motion: (Hackbarth, McKesson) approve the event request with the change of closing one lane and keeping the other lane for local traffic only but not for thru traffic from 10:00 to 11:15 a.m. Notification of Gibraltar Road residents is required about the event stating the time and lane restrictions. Carried*

**Conditional Use Permit Application: Northern Sky Theatre, 9058 Cty. A Parcel # 014-01-02302722A1 Proposed Use – Construction and operation of a Fine Arts Venue by Northern Sky Theater, Inc. in support and furtherance of the organization’s 501(c)3 mission. Zoning Sections 2.05 (3)(a) & 11.04:** Linda Merline detailed the conditional use permit application. This petition will be heard by the RPC and it cannot waive an ordinance requirement. If Northern Sky Theatre wants to pursue the issue it would need to be a variance petition. *Motion: (Hackbarth, McKesson) to recommend approval of this with downcast lighting condition and request waiving the vegetative screening on the south edge as highlighted on the map and attempt to do without Northern Sky going through the variance process for the trees. Carried*

#### **Update on SEH projects**

- **Sidewalk specifics, crosswalks, Rapid Flashing Beacons, etc.** Skare stated there will be a meeting on the 19<sup>th</sup>. A full report of the latest workshop will be sent this week. It was strongly recommended that not all projects be addressed at one meeting. SEH will be assisting with the rapid flashing beacons as these are done via a permit from the Department of Transportation (DOT). It was the consensus of the board to proceed with easements vs. construction permits. Doug Kirst will forward a crosswalk permit to the town office to complete. *Motion: (Hackbarth, Sobns) to have SEH help with the easements on the Hide Side and Cty. F. Carried*  
*Motion: (Sobns, Daubner) to have SEH design and get costs on rapid flashing beacons. Carried*

#### **Update on Hwy 42 project**

- **Consideration and needed decisions related to Hwy 42 sidewalks, easements, etc. on DOT timeline:** Jeremy Ashauer stated the extension at Cty. F with the design by SEH is 100% funded by the municipality. It was questioned if it made sense to have the town do the project during the Hwy. 42 project or if the town wanted to move forward with the improvement at a time outside the project. If the sidewalks were to be done with the project Hide Side and Spring Road would have to have the real estate cleared. Running the sidewalk from Cty. F to the Peninsula School of Art the state would take it to the Hilltop Inn. Finishing to the art school by the town in the future. It was the consensus of the board to keep Spring Road and Peninsula School of Art sidewalks in the project.

Peninsula School of Art and the Door County Land Trust met with the DOT. They are supportive of the sidewalk improvements. If the 5’ terrace is reduced to 4’ that will alleviate a fee acquisition and would be an easier fix than other alternatives. The terrace is the area between the curb and sidewalk. It was the consensus to proceed with a 4’ terrace.

The next meeting with the DOT will center on project staging through town. Spring 2019 is the scheduled start date. Information from the Fish Creek Civic Association on business openings etc. would be of assistance in staging. Ashauer would like to front-load the project to get as much done as possible early in the season. Updated municipal agreements with costs will be available at the next meeting. Limiting boat trailer parking on Hwy. 42 was questioned. Ashauer will check into it along with Blossomberg Cemetery signage on the highway. It has been 3 years since the curb etc. evaluation the current conditions will be evaluated. Ashauer will be attending the meeting on the 19<sup>th</sup>. Options will need to be narrowed for those property owners who will have retaining walls.

**Update on Spring Road Project:** Skare stated updated costs on Spring Road have been received. To widen the embankment area, extend the box culvert and tree removal \$46,000 total \$461,000. Construction balance for 2018

would be \$415,000. It was felt it be beneficial to replace any other culverts in the project area this year. A cost of the additional culvert installation for this year will be requested. *Motion: (Hackbarth, McKesson) to move forward with the \$46,000 and with the other culverts yet this fall. Carried*

**Update on Petition for Grant of Variance for Beach Property:** Skare updated the petition application questions from County Planning to the board. The resubmittal of the petition has not gone forward to the Board of Adjustment (BOA). Brauer stated additional information needs to be provided beside the submitted plans that had been specified by the BOA. The board felt the petition should continue to be pursued. Retaining legal counsel to move forward was discussed. *Motion: (Hackbarth, McKesson) move to retain legal counsel to assist us to get a variance to cut trees on our new beach property. Carried*

**Proposals for Accounting Services:** Hagen gave an overview of the 2 proposals. Both proposals were similar in pricing. Hawkins fees did not include the implementation of new Governmental Accounting Standards Board statements or revisions to generally accepted governmental auditing standards. Hawkins was able to offer a number of services. In comparison, Schenck could have offered other services but could not as it would be a conflict being the town's auditor. *Motion: (Sohns, Daubner) to accept the Schenck auditing proposal for another 3-year contract. Carried Motion: (Sohns, Hackbarth) to have Beth come back with specific services and costs from Hawkins for the next monthly meeting. Carried*

**Recommendation to Accept Fish Creek Restoration & Improvement Plan:** Linda gave an overview of the plan. Plan Goals:

1. Prevent the degradation of surface and groundwater quality in Fish Creek and its watershed
2. Protect and improve fish and wildlife habitat
3. Fish Creek will be assessable to the community's residents and visitors

Comments/concerns

- o Goal 2 speaks little about regulating or removal of the Redmann dam.
- o Outcome 2.8 would be implemented action of imprinting and recurring spawning
- o Page 13 Outcome 3.1, section "Who" include Snowmobile Bridge Grant, Silent Sports Alliance
- o Page 13 Outcome 3.2, section "What" replace walkway with the trail. Add improve or replace the multi-modal bridge further south of Hwy. 42
- o Page 13 Outcome 3.3, section "What" With the approval of the town....

*Motion: (McKesson, Daubner) to accept the plan as amended. Carried unanimously*

**Housing Market Analysis:** Skare stated the benefits to participating in analysis yield a tangible report that substantiates the need for the public to buy-in. This will be part of the 2018 budget discussion.

**Municipal Attorney Ad:** An ad has not been received.

**Snow Removal Equipment Purchase:** Both Strantz and Sohns gave arguments for equipment options: Kubota, Wacker, Multi One and Toro. Sohns stated a 2005 Trackless from Weston is currently on the Wisconsin Surplus Auction site; the auction will end October 17<sup>th</sup>. The Trackless includes attachments. Demonstrations of the other pieces of equipment from the various manufacturers would be best if tested during the winter season. Daubner suggested leasing equipment until an equipment decision was made. Strantz will get a price quote on a new Trackless. *Motion: (Hackbarth, Sohns) to have the office proceed with Wisconsin Surplus Auction 2005 Trackless with attachments from Weston with a ceiling of \$17,000. Carried This agenda item will be placed on the October 19<sup>th</sup> special meeting agenda.*

**Propane Bids:** This will be put on the October 19<sup>th</sup> meeting agenda.

**Determination of DNR Variance Application or Compliant Well Installation for the Town Hall:** An opinion has not been received from the attorney.

**Appointment of Representative and Alternate on Door County Coastal Byways Council:** *Motion: (Hackbarth, McKesson) to make the representative and alternate terms to be 2 years and to advertise for the position. Carried*

**Appointment of Representatives on Door County Tourism Zone Commission:** *Motion: (Hackbarth, Sobns) to make terms to be 2 years and have 2 positions staggered with terms to renew in January. Also look into how the representatives can be compensated. Carried*

**2017-18 Operators' Licenses:** There were no licenses submitted at this time.

**Payment of Bills:** *Motion (Hackbarth, McKesson) to approve the bills as presented. Carried*

A 5 minute break was taken by the board at 11:06 p.m.

**Enter into closed session:** *Motion (Hackbarth, Daubner) to enter into closed session at 11:11 p.m. Carried by Roll Call vote: Sobns, Skare, Hackbarth, McKesson, and Daubner.*

**A. Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Employee reviews/contracts**

**B. 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. Consideration of property acquisition**

**Exit closed session:** *Motion: (McKesson, Daubner) to exit closed and enter open session at 12:11 a.m. Carried*

**Approve action(s) taken in closed session:** *Motion: (Daubner, Sobns) to approve the action in closed session. Carried*

*A. Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Employee reviews/contracts*

*B. 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. Consideration of property acquisition*

**Adjourn:** *Motion: (Sobns, Hackbarth) to adjourn at 12:12 a.m. Carried*

Respectfully submitted,

Beth Hagen, Clerk