

**TOWN OF GIBRALTAR
REGULAR MONTHLY MEETING
WEDNESDAY JULY 3, 2019
GIBRALTAR TOWN CENTER
4097 HIGHWAY 42, FISH CREEK WI 54212
7:00 PM**

Approved: August 7, 2019

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, Barb McKesson, Bill Johnson and Tim Luetzgen

Board members absent: None

Agenda/proper notice/adopt agenda: *Motion: (Johnson, McKesson) to adopt the agenda as presented #8 asked to be delayed, #32 moved to #8, #33 and #34 before payment of bills. Carried*

Approve minutes of previous meeting(s): *Motion: (Johnson, Sohns) to approve the Board of Review minutes of June 4, 2019, as written. Carried Motion: (Sohns, McKesson) to approve the special meeting minutes of June 4, 2019, as corrected. Carried Motion: (Johnson, Sohns) to approve the minutes of the regular meeting of June 5, 2019, as corrected. Carried Motion: (Sohns, Johnson) to approve the minutes of the Public Hearing of June 13, 2019, as written. Carried Motion: (Johnson, McKesson) to approve the special meeting minutes of June 13, 2019, as written. Carried Motion: (Sohns, Johnson) to approve the special meeting minutes of June 18, 2019, as corrected. Carried Motion: (Johnson, McKesson) to approve the special meeting minutes of June 20, 2019, as corrected. Carried*

Committee Reports

Parks & Lands: Kelly Murre reported a new picnic table has been put in Noble Square. More tables have been requested by the public.

Fire Department/EMR: Fire Chief Andy Bertges reported there were 16 calls last month. The new boat has arrived and was blessed on the 22nd. Nothing new to report on the Door County Emergency Medical Service Request for Qualifications. The Chambers Island Fire Station lease will not be renewed. A location in the town parking lot on the island will be looked at when the board goes out for the facility review.

Noble House: Laurie Buske reported the museum is open. The first "Gibraltar Talks" was held and well attended.

Airport: Myrv Somerhalder reported Gary Glojek has been appointed as the airport press contact. It is anticipated the commission will be appointing Kelly Murre as their official secretary at their August meeting.

Watershed: Linda Merline did a test yesterday. Tony Fiorato can now input data for the watershed volunteer group.

Planning: Linda Merline stated the commission met last month. Representatives from Ephraim and Egg Harbor gave encouraging comments and information about the Green Tier Legacy program. The hope is a recommendation will be brought forward yet this summer about participation in the program.

Harbor Commission: Dave Harris stated the harbor is busy and full. Chase Austin is doing a great job for us. The new west pier is in and is much more stable. The cribbing stone has been removed from the old pier at the beach. The fuel lines have been replaced with larger diameter lines to allow for faster fueling and better service.

Room Tax: Bill Weddig reported the commission met the 3rd week in June for their annual meeting. In 2018 highest collections went to Gibraltar then Sturgeon Bay. June 2019, Gibraltar is up 7.7% from 2018.

Building Committee: Karl Stubenvoll reported the committee finished up annual inspections. Tony Fiorato was thanked for his valuable service on the committee.

Maintenance Department: Maintenance Supervisor Patrick Strantz stated over 100 miles of roadside were mowed in the last 2 weeks.

Clerk Report: Beth Hagen stated the newsletter will be sent out shortly, copies will also be available at the town office and library. The town Facebook page has been launched, we encourage you to check it out and "friend" us.

Door County Coastal Byways Council: Beth Hagen stated the website was reviewed for updating. Fresh advertising ideas are being sought that would not duplicate or fund other non-profit efforts.

Chairman: Dick Skare stated the board will be voting on an extension for the beach construction due to weather and parking lot issues. The highway project has been awarded. Work will begin this fall and be

completed by the end of June 2020. The parking lot project is coming along and is in operation while finish work is taking place.

Public Comment:

- An individual sent letter to Parks & Lands wanting to help on CI and has not received a response. It has been received and forwarded to the committee chairman.
- Sohns had inquiries on why the board was having a meeting on 7/3 as other municipalities were having fireworks. No fireworks were held at this evening's meeting.

Agenda Items:

Special Event Request: Door County Medical Center Auxiliary July 30, 2019, 9AM – 5 PM Banner:

Gloria Heck representing the Door County Medical Center Auxiliary requested a banner to be placed on the Fish Creek Clinic lawn on Hwy. 42 for 2 weeks prior to the event on July 30th. *Motion: (Johnson, McKesson) approve a banner not to exceed 24 sf. to be placed at the clinic for up to 2 weeks prior to the event on July 30th. Carried*

Special Event Request: Gibraltar Grill September 1, 2019, 4 PM – 11:00 PM; Tent, Temporary

Fencing, Live Music, and Expanded Premise for Liquor License: Tom Young gave an overview of the 7th Annual End of Summer event request. *Motion: (Johnson, McKesson) approve for the annual party at the Gibraltar Grill with the relocation of the tent and fence to the parking lot. Carried*

Special Event Request: Lautenbach's Orchard Country Summer Harvest Fest July 20, 2019, 9 AM – 6

PM, banners, vendor tents: Erin stated this is the 12th annual Summer Harvest Fest. The tents are primarily for shade and the banners up the week before the event. *Motion: (Sohns, Luetgen) to approve the special event request for Lautenbach's Orchard Country Summer Harvest Fest on July 20, 2019, 9 AM – 6 PM, banners and vendor tents. Carried*

Special Event Request: Lautenbach's Orchard Country Fall Harvest Fest September 21, 2019, 9 AM – 6

PM, banners, vendor tents: Erin stated this is the 12th annual Fall Harvest Fest. The tents are primarily for shade and the banners up the week before the event. *Motion: (Johnson, McKesson) to approve Lautenbach's Orchard Country Fall Harvest Fest on September 21, 2019, 9 AM – 6 PM, banners and vendor tents. Carried*

Special Event Request: Ephraim Yacht Club Bratfest August 2, 2019, 6 – 10 PM, Klein residence at

3282 Gibraltar Road, parking on 1 side of the road: Marcella Fults detailed the annual event. The parking on the South side of Gibraltar Road across from the Klein residence is taped "no parking." *Motion: (Johnson, Luetgen) to approve the Special Event Request: Ephraim Yacht Club Bratfest August 2, 2019, 6 – 10 PM, Klein residence at 3282 Gibraltar Road with parking on the North side of the road. Carried*

Special Event Request: Ephraim Yacht Club Commodores Party August 10, 2019, at Peninsula

School of Art, parking on 1 side of County F: Marcella Fults detailed the annual event with parking only on the North side of Cty. F. *Motion: (Johnson, Sohns) to approve the Special Event Request: Ephraim Yacht Club Commodores Party August 10, 2019, at Peninsula School of Art, parking on 1 side of County F. Carried*

Temporary Class "B" License Request: Ephraim Yacht Club Bratfest, August 2, 2019, Klein

residence at 3282 Gibraltar Road, 6-10 PM: *Motion: (Sohns, Johnson) to approve the Temporary Class "B" License Request: Ephraim Yacht Club Bratfest, August 2, 2019, Klein residence at 3282 Gibraltar Road, 6-10 PM. Carried*

Temporary Class "B" & "Class B" License Request: Ephraim Yacht Club Commodores Party,

August 10, 2019 6 – 10 PM, Peninsula School of Art, 3900 Cty. F: *Motion: (Sohns, McKesson) to approve the Temporary Class "B" & "Class B" License Request: Ephraim Yacht Club Commodores Party, August 10, 2019 6 – 10 PM, Peninsula School of Art, 3900 Cty. F. Carried*

Cedar Corporation Modified Proposal and next step: A modified scope of work was received from Cedar Corporation. There are 6 steps for a total estimated cost of \$20,500. Skare would prefer to award the

complete scope of work. *Motion: (Skare, McKesson) to accept the directive in the cost of 20,500.* Discussion – Sohns cannot support it for another \$20,000 after already spending \$18,000. *Motion: (Johnson, Skare) to amend to include the multi modal path connecting to Fish Creek Park. Carried* Question called on the new motion. *Aye: Skare and McKesson Opposed Luetzgen, Johnson and Sohns Motion failed.*

Johnson suggested what can we do to make this work for the board? Skare stated the Farnsworth plan is 3 years old and needs updating. Cedar was to use the information to use the information from the Farnsworth Bubble Plan. McKesson added that unless we have the information, we cannot make the decision, I know it is expensive but do not want to go into this blind. Johnson stated he likes Cedar's skill and ability. Johnson suggested requesting an extension of the option. Skare stated there is no assurance that the option will be extended. *Motion: (Johnson, McKesson) to approve the proposal by Cedar Corporation but to include under #1 Stakeholder Interview that he ((Ken Jaworski) meet with Marise Redmann and her representatives to get us an extension of the option to complete this work. Carried with Sohns and Luetzgen opposed.*

2019-2020 Liquor License Paul Krause, The Kettle Black: The original Class "B" and "Class C" application was reviewed. *Motion: (Johnson, McKesson) to approve the 2019-20 Class "B" and "Class C" retail licenses for The Kettle Black. Carried*

Plan Commission Recommendation on Resource Planning Committee Text Amendments – Campgrounds and Camping: Linda Merline gave an overview of the Resource Plan Committee petition for zoning text amendments. The commission recommended support of the text amendments with the addition of language that says existing woody vegetation acting as a screen must also be maintained. *Motion: (Sohns, Johnson) to recommend support of the Resource Planning Committee Text Amendments Campgrounds and Camping with the addition of language that says existing woody vegetation acting as a screen must also be maintained. Carried*

Building Committee Recommendations: Karl Stubenvoll stated the old Allen docks at the Old Shop should be salvaged and scrapped. The French drain is plugged at the Town Center on the west side: it needs to be explored and potentially tied into the storm sewer. Fire escape in the basement of Town Center is locked from the inside. The committee will get a price for a new water fountain (same model as the beach) along with the carpentry to install at the town center. A portable generator for the new shop should be explored.

Set dates for 2020 Budget meetings: Dates were set for September 25th, October 9th, 23rd, and 30th with the budget meeting of the electors November 20th. All meetings have 6 p.m. start times. Meetings dates may change due to budgeting needs.

Set date and time for Public Hearing on a Resolution vacating the street known as Brown Avenue: The public hearing was set for August 7, 2019, 6:30 p.m. at the Gibraltar Town Center.

Chambers Island Fire Department Station relocation and other potential uses: Fire Chief Andy Bertges gave the board a rough design for a new station on the parking lot property. The property is 4.24 acres. The Door County Land Trust has expressed interest in having a kiosk at the building, a community meeting space would be helpful for training and other community functions. Tim Fitzgerald has equipment on the island through the fall to clear the area; approximately 1 acre would need to be cleared at a cost of \$5,000.

Chambers Island propane tank pad: Dick Baudhuin will have the size needed for the tank pad from Ferrellgas by the 23rd. The town board will be on the island for the annual facilities review that day.

Consideration of beach swim platform: Dave Harris stated that Mike Kahr has built a swim platform with an anchor that he is willing to donate to the town. This is something that could be used with the high-water level but has not gone before the Harbor Commission for review yet. The commission will explore the cost to put in and take out the platform. An insurance quote for the platform has not been received yet and it is unknown at this time if a DNR permit is needed. The board passed this on to the commission for their review and recommendation.

Bank draw for 2018 construction project reimbursement: *Motion: (Sohns, McKesson) to approve a bank draw in the amount of \$638,714.91 for construction project reimbursement. Carried*

Bank draw for 2019 construction projects: This includes 2 payments to Blue Sky. *Motion: (Sohns, Johnson) to approve a bank draw in the amount of \$845,589.88 for 2019 construction projects. Carried*

Funding for Laurie Buske's selection/purchase of plantings and installation at the beach:

Skare stated most of the beach will be grass but feathering will be done for plantings. Laurie Buske recommended to ideally introduce natives, butterfly habitat and bushes that don't have to be pruned all the time. Potential addition of planters for pops of color. Planting time should be considered, pots, landscape rock, mulch. Laurie to make a simple site plan and bring back to the board. Focus on 2 islands and the front area. The funding for this was included under the beach project. Funding for the beach gardens maintenance and labor should be under Parks & Lands for future years. *Motion: (Johnson, McKesson) to authorize \$3,000 plus the \$500 donation for Laurie to begin, at her pace, with mulch, pots and plantings as available. Rocks offered by Sohn. Carried*

Consideration of Jon Reinhard privacy fencing at 4104 Main Street: Dick Skare stated he spoke with Jon Reinhard about fencing restrictions below the ordinary high water mark. Mr. Reinhard spoke with the other family members regarding the fencing between their property and the beach. The family wants a solid privacy fence 8' high, the length of the property. Skare stated the only way to get that would be to pursue a variance initiated by the town board. Shoreland Zoning is a State issue so there is much less area for negotiating with the county. McKesson suggested Goode's fencing as an option. Other suggestions and things to consider: using recycled wood, treated wood, cost, FCSD #1 access. Skare to follow up with Rick Brauer at Planning.

Consideration of dog park at airport property: Skare had mentioned this at the Town and Village Joint meeting. Wood Orchard has a Wovenwire wildlife fence that is 8000 linear feet with 3 gates at a cost of \$60,000 approximately \$7.50 per foot. The Airport Commission and the State Bureau of Aeronautics (BOA) were not opposed but the BOA wanted to see a plan. This is one way for Gibraltar residents to get some benefit of the airport property. Is there a need for a dog park? If so, how would it be funded and maintained? Sister Bay, Baileys Harbor and Egg Harbor have dog parks that are supported and or maintained by local dog park groups. An article could be put in the newsletter and/or on the website to gauge interest.

Reschedule Chambers Island facility and road review: The trip was rescheduled for Tuesday, July 23rd at 4 p.m. weather permitting.

2019-20 Operators Licenses: *Motion: (Sohns, Johnson) to approve the 2019-20 operators licenses as presented. Carried. Skare abstained.*

Consideration of Blue Sky change orders:

#1 additional sitework clean up at water line and structural base below topsoil \$7,473: *Motion: (Sohns, McKesson) to approve the additional sitework clean up at water line and structural base below topsoil at the South-West property line to create an inlet for town maintenance vehicles not to exceed \$7,473. Carried*

#2 substantial completion date be adjusted to 7/18 based on County permitting delays and Liquidated Damages be struck based on delays as noted: *Motion: (Johnson, McKesson) to approve the adjusted completion date to 7/19/19 based on County permitting delays as well as Liquidated Damages be struck from contract based on delays listed. Carried*

Sidewalk width east of beach project: Skare received a response from Pat Fehrenbach (included in packet). Sohn stated the WPS pole and the sharp grade was blamed for the narrowing of the sidewalk. Johnson responded that the WPS poles were not placed on the north side of the sidewalk to force the change. Johnson also questioned why the streetlight pads were poured in the correct place for an 8' sidewalk.

SEH beach parking lot permit is an issue as it caused construction delays. Changes to the plan had to be made strictly due to SEH's not knowing planning setbacks. Johnson added that the costs to the town will need to be defined for the damages caused. Martel (concrete contractor) stated there are 2 ways to correct the sidewalk – rip out and replace or pin in a 2' piece to the side. Sohns said the town should pay for an 8' sidewalk as it should. Damages should cover the cost of coming back and putting in the 2' pinned section. Aesthetically the patch work looks poor and becomes a maintenance nightmare added Luetgen. If they would have come to us instead of making the decision without us it may have been different. The location of the curb cut and its location on the approved plan were questioned. Also, the sidewalk was not the length shown on the approved plan and should be followed through on by SEH. *Motion: (Johnson, Sohns) the town write a letter to SEH explaining that our expectations were not met on the sidewalk and they need to remove and replace the cut out and the width of the sidewalk would then be made then at 8'. Sidewalk damages to be paid for by SEH. Damages for beach parking should also be included. The sidewalk from the parking lot at the beach to the east needs to match the original plan that the town approved. Carried*

Payment of bills: *Motion: (Johnson, Sohns) to approve the bills for payment as presented. Carried*

Adjourn: *Motion: (Luetgen, McKesson) to adjourn at 10:10 p.m. Carried*

Respectfully submitted,

Beth Hagen, Clerk