

**TOWN OF GIBRALTAR
REGULAR MONTHLY MEETING
WEDNESDAY AUGUST 5, 2020
GIBRALTAR TOWN CENTER
4097 HIGHWAY 42, FISH CREEK WI 54212
7:00 PM**

Approved: September 9, 2020

Call to order: Steve Sohns called the regular meeting to order at 7:00 p.m.

Pledge of Allegiance

Roll call/quorum:

Board members present: Steve Sohns, Bill Johnson, Brian Merkel, Tim Luetzgen and Jayson Merkel.

Board member(s) absent: none

Agenda/proper notice/adopt agenda: *Motion: (Johnson, B. Merkel) to adopt the agenda as changed (move #16 to #12). Carried*

Approve minutes of previous meeting(s): *Motion: (Johnson, J. Merkel) to approve the minutes of the regular meeting of July 1, 2020 as written. Carried Motion: (Johnson, J. Merkel) to approve the minutes of the special closed meeting of July 27, 2020 as corrected. Carried*

Committee Reports

Parks & Lands: No report.

Fire Department/EMR: Chief Bertges stated July calls were at 150% of last July. There were a number of multi agency assists with watercraft. The Chambers Island Fire Station and UTV projects are moving along with grant applications and building plans.

Law Enforcement: Officer Roesch reported a seasonal rise in calls. The department received a \$1,500 donation from Adopt a Soldier for protective equipment.

FCCA: Denise Stillmann reported an additional person has been hired to staff the information office. The office is staffed 5 days per week and closed Tuesday and Wednesday. A marketing coordinator is being sought, there are some great candidates. Landscaping at the kiosk is being addressed.

Noble House: No report.

Airport: Jon Neville stated the activity is unusually heavy this season. Gas sales have been very good. There is continued excellent volunteer help. The Bureau of Aeronautics notified the commission that there are trees that are hazardous and need to come down. This will be taken care of by volunteers. New yellow cones for the grass runway have been ordered and will be installed shortly. Jeff Drajesk reported a money saving transition for 4 of the 5 communication lines from Frontier to Spectrum.

Watershed: No report.

Planning: No report.

Harbor Commission: No report.

Room Tax: Bill Weddig stated income was reviewed and May was down 71% from last year. April was down 89% from last year. Things are improving and may improve to an overall 30% drop by year end.

Building Committee: Karl Stubenvoll stated there was no report; the committee has not needed to have a meeting.

Maintenance Department: If there are any issues in town please report them to the town office.

Clerk Report: Beth Hagen stated there is a Partisan Primary Election on August 11th. We currently have in-person absentee voting in the office until Friday at 5 p.m. The polls are open 7 a.m. to 8 p.m.

Door County Coastal Byways Council: Beth Hagen reported the council is not meeting in August. The council hopes to hear the outcome of their All American Roads application in September.

Chairman: Steve Sohns stated the parking lot is close to being finished. The trees are all planted, and grass is growing. Signage is yet to be put up.

Public Comment:

- Phyllis Schott expressed concern on the lack of cautionary signage at the beach. She also recommended that the fishing line that is being used as a goose deterrent should have a second line

added above the current line. Individuals have tripped on the line at the beach and a second line would make it more visual. Signage suggested: Swim at your own risk, Caution, slippery rocks.

Agenda Items:

Consideration of Change to Alpaca to Apparel LLC Liquor License Site Description through 11/2/2020: *Motion: (Johnson, B. Merkel) to approve modification (adding a table to his porch) to the site map through November 2, 2020. Carried*

Consideration of First Right of Refusal on Hangar D-4: Marty Franke gave the recommendation from the airport commission. *Motion: (Johnson, J. Merkel) to refuse the purchase option on Hangar D-4. Carried*

Determination on Sale of Hangar D-4 to Gloria Teuber Trust, South Barrington, IL: Marty Franke gave the recommendation from the airport commission. *Motion: (B. Merkel, Johnson) to approve the sale of Hangar D-4 to Gloria Teuber Trust. Carried*

Consideration of First Right of Refusal on Hangar A-9: Marty Franke gave the recommendation from the airport commission. *Motion: (Johnson, B. Merkel) to refuse the purchase option on Hangar A-9. Carried*

Determination on Sale of Hangar A-9 to Jeff Drajesk, Fish Creek, WI: Marty Franke gave the recommendation from the airport commission. *Motion: (B. Merkel, Johnson) to approve the sale of Hangar A-9 to Jeff Drajesk. Carried*

Consideration of Ephraim-Gibraltar Airport Operation and Maintenance Agreement: Marty Franke stated after 2 years the agreement has passed through the town and village attorneys and the airport commission and is ready for approval by the 2 boards. The village approved the agreement last week. *Motion: (Johnson, J. Merkel) to approve the Ephraim-Gibraltar Airport Operation and Maintenance Agreement. Carried* Hagen suggested that with the agreement in effect the commission may want to consider hiring/ shifting the duties of a manager out of the town or village hands as the statute states they may do; it would be another cost saving measure.

Cedar Corporation Update:

A. WDOT STH 42 Project General Update

- i. Vinton Construction Company – Payment Request No. 4:** *Motion: (B. Merkel, Johnson) to approve Vinton Construction Company Payment Request No. 4 \$20,905.60. Carried*
- ii. Railing Project**
Schuh Construction: Fabrication is completed, start installation on August 11th. Estimate 2 day install. Monday remove barricades, block parking spots with barricades and block sidewalk for 3 days.
- iii. Rapid Flashing Beacons:** Installed operating properly. SEH designed and was originally to be powered separately, then in installation was powered by tapping into streetlight which is 240v. Tapco is assisting in a solution but there will be a cost. It is a solvable issue.
*Bodart Electric Services, Inc. The streetlight bases are being installed as contracted to qualify for warranty.
- iv. Radar Installation Update:** The sign has been received. Consensus to mount on a wood sign post. Check with the county for post installation. Check with the DOT on speed sign at BP for use for radar installation.
- v. Noble House Pole and Meter Update:** Dennis stated the meter for the Noble House is on an old pole, it could be moved to house and the pole removed. It is possible to combine the service meter for the 2 buildings onto 1 meter at the Annex. Consensus to get a quote from Action Electric send to Dennis and he will forward to DOT.

B. Community Center and Maintenance Shop Paving – Contract A-20

- i. Asphalt and curb/sidewalk project – Contract A-20 Update:** Basically, everything is done.

- a. **Vinton Construction Company – Change Order No. 2:** Increase of \$9,083.36. Miscellaneous items were added and a few quantity adjustments were made to the project. *Motion: (B. Merkel, Johnson) to approve Change Order Vinton Construction Company – Change Order No. 2 in the amount of \$9,083.36. Carried*
 - b. **Vinton Construction Company – Payment Request No. 2:** *Motion: (B. Merkel, Johnson) to approve Vinton Construction Company – Payment Request No. 2 in the amount of \$166,301.02. Carried*
 - c. **Vinton Construction Company – Certificate of Substantial Completion:** The certificate carries a 2-year warranty. *Motion: (Johnson, B. Merkel) to accept the certificate of substantial completion. Carried*
- C. **Fish Creek Parking Lot Paving – B-20 update:** The project was bid, let and completed in June.
 - i. **Northeast Asphalt, Inc. – Change Order No. 1:** *Motion: (B. Merkel, Johnson) to approve Northeast Asphalt, Inc. Change Order No. 1 in the amount of \$31,880.09. Carried*
 - ii. **Northeast Asphalt, Inc. – Payment Request No. 1:** This is a final payment but withholding a retainage of approximately \$8,600. *Motion: (B. Merkel, Johnson) to approve Northeast Asphalt, Inc. Payment Request No. 1 in the amount of \$335,610.25. Carried*
 - iii. **Northeast Asphalt, Inc. – Certificate of Substantial Completion:** *Motion: (Johnson, B. Merkel) to accept the Northeast Asphalt, Inc Certificate of Substantial Completion with a warranty start date of July 3, 2020. Carried*
- D. **Parking Lot Lighting – Update**
 - i. **Bodart Electric Services Inc. – Change Order No. 1:** *Motion: (B. Merkel, Luetzgen) to approve the Bodart Electric Services Inc. Change Order No. 1 increase of \$941.60. Carried* There is no Certificate of Substantial Completion as the system has not been started up. When the training has been completed with office staff and the system running then the certificate can be issued.
 - ii. **Bodart Electric Services Inc. – Payment Request No. 1:** There is a retainage in the amount of \$1,894.60. *Motion: (Johnson, Luetzgen) to approve the Bodart Electric Services Inc. Payment Request No. 1 in the amount of \$73,889.50. Carried*
- E. **Special Assessments for STH 42 Sidewalks** – Dennis stated that in the preliminary resolution that the board passed last September authorized Cedar to prepare the schedules that are required by statutes. Schedule A is plans and specs, Schedule B is a detailed estimate of the cost that you plan on assessing and Schedule C is a schedule of how the methodology that you end up choosing, how it affects every person and what their assessment will be. This is a draft but want to take it this far so you can see the methodology that we are suggesting that you consider.
 - o Schedule B STH 42 Sidewalks showed a net cost to be special assessed of \$494,309.84. This includes the recommends that Federal/State Grant Funds be spread across the whole project. Sod laid at the school not included as the number is not known at this time but will be added to be consistent with inclusion of the erosion mat. *As a point of clarification on Schedule B there may be a question as to why people are being assessed for driveways. If a driveway is next to a curb it is a sidewalk. If, like up at the school, a driveway is separated by a terrace and grass, that is considered a driveway apron and is not being assessed. Suggested assessment is based on taking the full cost of the sidewalk and charged by whatever method of assessment. The last thought was full cost divided and charged by front foot.
 - o The streetlights were done in a combination method of 50% by property value of the benefitted property and 50% of acreage or number of units.
 - o Sidewalks done in a combination of 50% assessed land value and 50% front footage.
 - o It might be better to bring similar methodologies of the 2 assessments as they are being brought together to the public. No method will make everyone happy.
 - o Values for properties were developed (school, churches,) were from insurance values. Have attorney review for out of town residents being able to contest.
Motion: (Johnson, Sobns) to accept the methodology. Carried Motion: (Johnson, B. Merkel) to have our attorney review the methodology of this with Dennis. Carried

Consideration of Hwy 42 Street Light and Sidewalk Assessment methodology and associated actions: See above.

Driveway Variance Request: Eric Isaacson CTH F Parcel # 014-01-01302713: Eric Isaacson presented his request for the variance to the board. Fire Chief Bertges had Andy B. 12' travel surface. Width of the apron. But want a reduction in the road surface. Board concern on setting precedence. *Motion: (B. Merkel, Luetzgen) to decline the variance request. Carried with Sohns abstaining as he is a close property owner.*

Consideration of Real Estate Easement Agreement between the Town Parcel #01402-32312711R and The Spielman Family Trust: #1 is our maintenance, 2,3,4,5 is on them to maintain. *Motion: (Johnson, B. Merkel) to approve the agreement. Carried* The board took a break at 10:28 p.m.

The board reconvened at 10:41 p.m.

Consideration of Premier Resort Tax: Sara Lancaster gave an overview of the Premier Resort Tax. The Department of Revenue has been contacted to determine if the town has the necessary percentage of commercial property to qualify or if it must petition the legislature for approval. If the town does pursue the board felt the FCCA should be invited into the conversation. Sara will work on additional information gathering.

Remove from the Table: WPS Pole Ordinance Update *Motion: (Johnson, Luetzgen) to remove from the table: WPS Pole Ordinance update. Carried*

WPS Pole Ordinance Update: *Motion: (Johnson, Sohns) to construct an ordinance which states that no additional poles may be placed in the road right-of-way on the state highway from Gibraltar Bluff Road north to Gibraltar Road and that no lighting may be added, changed, or affixed on the existing trident poles on the state highway. Carried*

Consideration of Additional Handicapped Parking: The DOT does not want the handicapped spaces where it requires parallel parking. *Motion: (Johnson, Luetzgen) to accept the proposal with the removal of #9 and proceed with an ordinance. Carried*

Adoption of Town Parking Lot Ordinance: 2020-02 *Motion: (Johnson, Luetzgen) regarding camping on town property striking: "at least 11 inches square. Carried. Sohns read the ordinance.*

Determination of 2020 Road Projects: Sohns was able to find a vendor for chip sealing and crack filling. We do not have an amount for striping on Gibraltar and Peninsula Players Roads but Northeast's number for striping was \$34,000 and could be used placeholder. Sohns recommended: Blossomberg Cemetery Road \$17600; striping placeholder \$34,000; crack filling \$9,870; chip sealing South Highland Road, Maple Grove Road and Wandering Road \$134,353; Northeast contract \$661,240. Project cost total \$795,593. Budgeted funds \$325,000 which would leave a balance of \$470,593 to be financed with a short-term loan. A cost has not been received for repair/maintenance of Town Road #68. Vacuuming of chip sealed roads can be done either by Scott Construction or the County whichever is less expensive. *Motion: (Johnson, Luetzgen) to go with Steve's plan with vacuuming. Carried*

2020-2021 Operators Licenses: *Motion: (Johnson, J. Merkel) to approve the licenses as presented (202021-50 through 202021-52). Carried.*

2020-2021 Operators Licenses: *Motion: (Johnson, J. Merkel) to approve the 2020-2021 Operators Licenses 202021-16 through 202021-45 as presented. Carried*

Consideration of Over the Counter Fireworks Permit: *Motion: (Johnson, Luetzgen) to approve the Over the Counter Fireworks Permit as presented. Carried*

Payment of bills: *Motion: (Sohns, J. Merkel) to approve the bills for payment with the exception of Baudhuin, SEH and Door County Highway Department as discussed. Carried*

Adjourn: *Motion: (B. Merkel, Luetzgen) to adjourn at 12:13 a.m. Carried*

Respectfully submitted,

Beth Hagen, Clerk