

**TOWN OF GIBRALTAR
REGULAR MONTHLY MEETING
WEDNESDAY MARCH 3, 2021
GIBRALTAR TOWN CENTER
4097 HIGHWAY 42, FISH CREEK WI 54212
7:00 PM**

Approved: April 7, 2021

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, Tim Luetzgen, Brian Merkel, and Jayson Merkel.

Board member(s) absent: None

Agenda/proper notice/adopt agenda: Sohns verified that the agenda had been properly noticed. *Motion: (Johnson, J. Merkel) to adopt the agenda take out 24, 25 as submitted. Carried*

Approve minutes of previous meeting(s): *Motion: (Johnson, J. Merkel) to approve the minutes of the special joint meeting of the Gibraltar Town Board and Plan Commission on January 22, 2021 as written. Carried Motion: (B. Merkel, Johnson) to approve the minutes of the regular meeting of February 3, 2021 as corrected. Carried Motion: (Johnson, Luetzgen) to approve the minutes of the special meeting of February 24, 2021 as written. Carried*

Committee/Commission Reports

Parks & Lands: Kelly Murre reported the committee met and went over upcoming seasonal tasks.

Fire Department/EMR: Fire Chief Bertges reported February calls at 13 which included a structure fire on Gibraltar Road. An AFGs grant was applied for the Chambers Island replacement engine. A Raibrook grant was applied for to partner with the BayCare grant money towards the new Chambers Island UTV project.

Law Enforcement: Officer Roesch reported 85 contacts for the month. Work continues on parking ordinances.

FCCA: Karlie stated that tour lights are still up. 2021 information materials out by May. Two photo shoots are planned for this year.

Airport: Marty Franke stated the tree and brush clearing has been completed. CLA did a separate year end compilation of the airport. There was a small loss of \$900. The airport is in good position cash wise. Two grants have been applied for 1 state and 1 federal. Another \$13,000 has been granted in COVID funds that will be applied for pending qualifications. A commission goal is to pay off the 2 municipalities by the end of 2021.

Noble House: Laurie Buske stated history collection hoping to open this year.

Watershed: No report.

Plan Commission: Linda Merline stated there was nothing to report.

Harbor Commission: Dave Harris reported the commission has been working on the updating of harbor ordinances. Chase and Lindsey will be returning and reviewing staffing. The dock is full for July 4th. The dock will be running 100% this season.

Room Tax: Bill Weddig stated the commission met and reviewed 2020 numbers. County wide the numbers are down 7%, the town down 1.9%.

Building Committee: Karl Stubenvoll reported that the committee met. An RFP has gone out for the masonry work for the foundation of the Noble House.

Clerk: Beth Hagen stated the office has been busy with information requests, title searches, harbor renewals and election duties. We will begin preparing reports and financials for the annual meeting scheduled for April 20th at 7 p.m. which will be held at the Gibraltar Fire Department.

Door County Coastal Byways Council: The council met this morning and worked on the National Scenic Byways grand opening event. Jem grant application opportunities were discussed but timing and related funding specifics will be ready for the next meeting. Ann and I will be working on the budgeting aspect of the Jem grant prior to the next meeting to be held here on April 13th at 8:30 a.m.

Chairman: Steve Sohns stated Ray Slaby passed away a few days ago. Ray served the town for multiple decades as town clerk, supervisor and chairman. He will be missed. Steve also stated the old trackless and

miscellaneous fire equipment was sold at auction. The gazebo arrived today; construction to be completed by the end of May. Maintenance will soon be removing the snowflakes and other holiday decorations.

Public Comment: None

Agenda Items:

Liquor License 2020-2021: The Ginger House LLC: Class “A” and “Class A” License for 9114 Hwy. 42: The liquor license application was reviewed and found in order. The new shop is located at the Settlement Shops. Ginger Baron was available via Zoom to answer board questions. *Motion: (Johnson, B. Merkel) to approve the Liquor License 2020-2021 for The Ginger House LLC: Class “A” and “Class A” License for 9114 Hwy. 42 as submitted. Carried*

Special Event Request: Gibraltar Grill: End of Summer Party, September 5, 2021, 6-10 PM, tent in parking lot, liquor license to include parking lot: Tom Young recapped the request for the 8th annual end of summer party. *Motion: (Johnson, B. Merkel) to approve the special event as requested. Carried*

Special Event Request: Fuchs/Brichta Wedding 9/18/2021 Sunset Park, Chairs, tables, tent, arch, beer, wine: John and Tracy gave an overview of their wedding ceremony special event request. They plan on using the park from Noon – 5 p.m. Brian Merkel wanted them to be aware that there was no power available at the park. If needed John said they would bring a generator if allowed. No objection was given by the board. *Motion: (Johnson, B. Merkel) approved the event as presented with the change being time of use to Noon until 5 p.m. Carried*

FCCA Request to Temporarily Relax Rules Due to Covid-19 Impacts:

Previously granted in 2020 with an expiration of November 2nd:

- ✚ Open signs (FCCA design)
- ✚ 2 parking spots for pick-up orders and cone/signage designation
- ✚ Sandwich boards/wall board- not to be in sidewalk
- ✚ Reduced indoor seating requirements allowing matching outdoor on same property, modification of liquor licenses
- ✚ 12 x 12 tent
- ✚ Additional picnic tables, benches, alcohol consumption in parks

Motion: (Johnson, Luetzgen) to grant the FCCA request to grant the extension to restart all of these things to be terminated when the county terminates them or when the town board decides to do so on its own earlier. Carried

B. Merkel not in favor of motion made as multiple open types/styles flags were used by both members and non-members and there was no enforcement. In favor of an open flag per business and all the same flag (FCCA). Tents should be taken out and should have on a case-by-case basis. Content with curbside pick-up. Who is going to enforce? Denise Stillman, FCCA, stated she is willing to make a courtesy call to a member business for abusing the temporary allowances. Steve said enforcement is really on the town. Bill called the question the vote was taken and passed.

Special Event Request: FCCA Concerts in the Park June 22 – August 17, 2021 4-6 PM Noble Square/Town Hall: Karlie presented the concerts request. The concerts are on Tuesday afternoons in Noble Square and the use of a sandwich board at the Square is requested. *Motion: (Johnson, B. Merkel) to approve the special event request with the sandwich board that has been used in the past. Carried*

Peninsula Transit Coalition Presentation:

- ✚ **Overview of the Peninsula Transportation Coalition mission and plans:** The Coalition is a grassroots organization formed in 2019 to explore Countywide transportation system. They have engaged a transportation expert to determine community needs. A partnership with Door Tran was formed in 2020.
- ✚ **Overview of the Operations of the Sister Bay Village Shuttle Bus -** The Shuttle Bus came into service 2019-2020 serving 5,700 riders. The used vehicle was purchased from the ARDC. Bus stop and

route signage was used as well as rack cards. Funding was received by ads on the bus, sponsors and the village of sister bay relative to their budget.

Louise Howsen stated that routes have been developed for each of the Northern Door communities. Purchasing the route and help with the set up would cost \$500. Howsen added that they can help with what has been learned and how it can help you. Your municipality would need to purchase signage, vehicle, and hire drivers. Steve Sohns stated our new lot was designed with a drop off built to accommodate a service of this type. The town has raised the topic with the FCCA. At some point a countywide system would be brought forward and the coalition would be approaching the town. Two phases are being brought forward separately by the coalition a community shuttle and then a countywide system. Sohns thanked Ms. Howsen for the presentation.

Conditional Use Permit Fish Creek Investments LLC 014-02-33312722R 3393 Main Street, Proposed Use: Residential Duplex: Linda Merline gave an overview of the conditional use permit application. Tom Young is the owner of Fish Creek Investments LLC. Currently Gibraltar Grill is on the first floor and employee housing is on the second floor. If the permit is granted the building would be converted to a duplex (upper and lower). The village commercial district allows for mixed use commercial development including commercial condominiums, transient rentals, single family rentals, and duplexes by conditional use. There would be no change to the footprint of the building. The duplex would be used for short-term rentals. Traffic for the property would be reduced. Impervious surface will be reduced by a reduction of the 32 car parking lot. The change in use would likely not affect the area as it is surrounded by a variety of allowed uses. The fire chief has approved the plan and the building has a fire suppression system. The Plan Commission recommended supporting the petition with no additional conditions. *Motion: (Johnson, J. Merkel) to recommend the RPC support the Conditional Use Permit Fish Creek Investments LLC 014-02-33312722R 3393 Main Street, Proposed Use: Residential Duplex. Carried*

Remove from the table: Consideration of Door County Room Tax Increase Proposal: *Motion: (B. Merkel, Johnson) to remove from the table: Consideration of Door County Room Tax Increase Proposal. Carried*

Consideration of Door County Room Tax Increase Proposal: Dave Eliot stated the start date for the increase would be 1/1/2022. No permit fee would be attached. The study showed that room tax does not have an impact good or bad as it is unelastic. The town has received a letter from the DDC committing funds to reimburse via granting to the town for administrative costs paid out to the Tourism Zone. DDC would be covering the funds that the town has been giving to FCCA. Eliot stated each municipality pays their percentage for administration of their zone. Of the Tourism Zone municipalities 6 have signed on to the resolution.

Denise Stillmann, Meredith Coulson, Greg Stillmann, and Bill Weddig as innkeepers are in favor and supportive of the role they play in this process. The board thanked all those who have worked on this. Eliot stated this has come out of a need for funding and our zone is looked to a way to do the zone correctly. Weddig added the grant program may be a year delay. *Motion: (B. Merkel, J. Merkel) to support the Door County Room Tax Resolution as presented. Carried with Johnson opposed.*

2020 Budget Amendments: Kelly Murre gave an overview of the budget amendments and the budget transfer to the CIP from 2020.

Transfers from CIP

- ✚ Peninsula Players and Gibraltar Roads paving \$358,920
- ✚ Trackless \$46,750
- ✚ Offset 2021 Budget \$125,000

Transfers to CIP

- ✚ New PW vehicle 2021 Budgeted \$20,000
- ✚ New Squad 2021 Budgeted \$25,000
- ✚ Transferred from 12/31/2020 to CIP \$112,000

Motion: (B. Merkel, Johnson) to approve the budget amendments as presented. Carried

Determination of funds to transfer to CIP from 2020: See above.

Review of 2020 Draft Audit: Ginny Hinz of CLA gave an overview of the 2020 draft audit. It is an unmodified opinion that is materially correct. It shows a positive increase in fund balance. The marina fund has been changed to a proprietary fund; page 9 shows debt service as another fund beside the capital projects fund. Findings are typical internal controls with no areas of non-compliance. The movement of \$112,000 to the CIP will be made and reflected in the final audit documents to be presented next month. *Motion: (Johnson, Luetgen) to approve the 2020 draft audit. Carried*

Cedar Corporation: Town STH 42 Project, Vinton Construction Company – Contract A-19

- ✚ **Change Order No. 4:** *Motion: (Johnson, B. Merkel) to approve Vinton Construction Contract A-19 Change Order No. 4 \$7,046. Carried*
- ✚ **Payment Request No 6:** *Motion: (B. Merkel, J. Merkel) to approve Payment Request No. 6 in the amount of \$15,046.70. Carried*

Beach Project Phase II Update: Steve spoke with Mike Kahr and Steve Parent. Work will resume in 2 weeks primarily on the stormwater pipe. Complete permission on the crescent beach change has not been received yet but is hopeful.

The Harding Group:

- ✚ **Approval of Ordinance 2021-01 Organizational Ordinance:** Marc Harding reviewed the organizational ordinance and responded to questions and comments. Attorney Gagan reviewed the ordinance. Attorney Gagan stated the fire chief and police look good, town chair and supervisor, clerk and treasurer are fine but are also covered by state statute and Wisconsin Towns Association Handbook. Attorney Gagan suggested having all the town ordinances reviewed by a service. *Motion: (Johnson, B. Merkel) approve as written with approval and adoption at the next regular meeting. Carried*
- ✚ **Update on Recruitment Process/Project Plan:** Will be under budget on marketing. Five candidates have been interviewed of 13 respondents. Three recommended for board interviews and a 4th that would be interviewed by Thursday. The Plan is about 2 weeks ahead of the original schedule. Packets will go out tomorrow for Monday's meeting. The ad is good through the end of March.
- ✚ **Set date for Candidate Interviews:** Date will be set at next meeting.
- ✚ **Priority Expectations/Measurables of Administrator by 12/31/2022:** Themes identified will be made into questions to garner thoughts on their priorities and their performance once they are in the job. Identified themes are: zoning, organizational planning and structure, communication (internally and externally), public works leadership, special assessment/financing/budgeting, economic development, other priorities.

Approve Resolution Authorizing Zoning Authority to be placed on 4/20/2021 Annual Meeting Agenda

Motion: (Johnson, Sobns) to approve placing the resolution authorizing zoning authority to be placed on the 4/20/2021 annual meeting agenda. Carried

Harbor Commission Term Appointments: Appointments will be made at the March 8th meeting.

Parks & Lands Committee Term Appointments: Appointments will be made at the March 8th meeting.

Request to Waive Variance Review for Gaetano and Amanda Auricchio Petition for a Variance from Section IV.B.2.b. of the Door County Shoreland Zoning Ordinance 8479 White Cliff Road –

Reapplication to place an inground pool within the ordinary high-water mark set back: Attorney Jim Smith approached the town asking if the town would consider waiving the 28 day variance review if the Auricchio were to reapply for the variance petition on the inground pool within the ordinary high-water mark setback.. The change to the reapplication is that the location would be changing to 5'. As the board had supported the variance request previously and this was the only change being sought there did not appear to be any apparent issues. *Motion: (Johnson, Luetgen) to grant the waiver contingent on the application only moves the pool 5'. Carried*

Consideration of truck loader/vacuum and Grasshopper mower purchase:

Truck loaders:

- ✚ Scag \$11,460
- ✚ Little Wonder \$12,600
- ✚ Billy Goat \$8,481.45
- ✚ Salsco \$ waiting for information from dealer

Maintenance would like a trailer model. The truck should be set up for an industrial blower. Lead time is not an issue. It was the consensus that Scag is a better machine and Billy Goat is primarily a residential unit.

Mowers: Maximum 52” deck

- ✚ Grasshopper \$11,504.75, front mount, optional bagger
- ✚ Toro Grandstand \$8,837 front mount, optional bagger, 5 year warranty
- ✚ Gravely mid mount only
- ✚ Scag mid mount only
- ✚ Kubota front mount start at 62”
- ✚ Other brands?

Hold off on both for more options.

Determination of Funding for truck loader/vacuum and Grasshopper mower: There is sufficient funding in the 2021 budget under the Town Shop.

Approve Budget Amendment for truck loader/vacuum and Grasshopper mower; and funds to transfer from CIP: The amendment was not needed.

Consideration of Village Area Upgrades Grand Opening Event: The idea to have a plaque commemorating the “facelift” in town was brought up while Steve Sohns was speaking with Dennis Steigenberger and another vendor. The plaque and ribbon cutting event is paid for by vested groups, vendors, etc. Sohns has a granite rock that would be appropriate and Barb McKesson would help with plaque wording. Karlie and the civic association would be approached about event planning. Hopefully everything should be done by later July. Johnson suggested the weekend of the Hairpin. Sohns will bring back a proposal next month.

Payment of Bills: The board reviewed the bills for payment. *Motion: (B. Merkel, Johnson) to approve the bills as presented. Carried*

Adjourn: *Motion: (B. Merkel, Luetzgen) to adjourn at 11:27 p.m. Carried*

Respectfully submitted,

Beth Hagen, Clerk