

**TOWN OF GIBRALTAR  
SPECIAL MEETING WITH CLOSED SESSION  
PER WISCONSIN STATE STATUTES 19.85(1) (c)  
MONDAY, MARCH 8, 2021  
GIBRALTAR TOWN CENTER  
4097 HIGHWAY 42, FISH CREEK WI 54212  
6:00 PM**

**Approved: April 7, 2021**

**Call to order:** Steve Sohns, chairman called the Special Meeting with Closed Session to order at 6:00 p.m.

**Roll call/quorum:**

Present: Steve Sohns, Bill Johnson, Tim Luetzgen, Brian Merkel, and Jayson Merkel

**Agenda/proper notice/adopt agenda:** Sohns would like #9 to follow #3. *Motion: (Johnson, B. Merkel) to adopt the adjusted agenda. Carried* Sohns confirmed the agenda had been properly noticed.

**Determination on Special Assessments Direction:** Sohns stated that after the last meeting there were some board reservations. The town attorney stated that a town wide assessment cannot be made because there is not equal benefit to all properties. Both our attorney and engineer felt they needed to know what direction the board was going. Costs to date are approximately \$15,000. What direction does the board want to go and consider the future ramifications. The league of municipalities substantiates that Brian Merkel is allowed to participate in the discussion and vote. Brian stated that he will be participating. Discussion points:

- ◆ Luetzgen if the attorney has advised that it cannot be done town wide then all we can do is proceed. On board with proceeding with assessment as planned.
- ◆ Jayson Merkel questioned how can other towns spread it out to everyone? Last meeting we heard about room tax. Has the potential new administrator heard of other means?
- ◆ Sohns replied that Sister Bay and Ephraim are villages and are held to differing rules. There may be some things that come out either now or in the hearings that will need to be addressed.
- ◆ Johnson added that in looking at an Administrator, other projects and how the long-term needs, it is not in the best interest to decide now. We have non-profits that have significant benefits Gibraltar Area Schools, Peninsula School of Arts, YMCA, Door Community Auditorium, multiple churches, etc. This decision should be set this aside and have more conversations that would be good for the town of Gibraltar. Leaning towards yes but a better effort towards fairness.
- ◆ Brian Merkel stated he is not necessarily in favor or opposed to the assessment. There has been development since last meeting, Phase 2 is on the horizon and the current strategy will not work. Phase 1 & 2 need to be completed in an equitable way. There is an anticipated room tax increase of approximately \$130,000 under the new 8% (should it be adopted). A capital improvement fund specific to infrastructure from those funds could be started that would be the additional revenue stream.
- ◆ Sohns stated there were a number of examples put forward that cut the assessment by more than 50%.
- ◆ Johnson suggested tabling until an administrator is on board. The complexity of looking at this all at once needs another set of eyes. Johnson stated he is opposed to not collecting from non-profits.
- ◆ Sohns stated the town has gotten over \$1million in room tax over the years and that has helped hold taxes down. The electors are the ones that control the passing of our budgets, bonds, building etc. If we were not going to assess I would have looked at how the project would have been negotiated with the non-profits. It goes back to finding fairness.
- ◆ Johnson suggested postponing until administrator is in place then have non-profits come in and discuss assessment even if regular property owners do not get assessments.
- ◆ Brian Merkel stated the board should move on to Phase 2 sooner. The administrator should pursue Phase 2.
- ◆ Luetzgen stated the town should make the public aware of the work and costs that the town does and goes unnoticed for example: storm sewers, road maintenance, etc.

*Motion: (Johnson, J. Merkel) move to table the discussion on the assessments until we get an administrator and then look at revenue stream and plans for other projects. Carried*

**Adjourn to closed session according to Wisconsin State Statutes 19.85(1) (c):** *Motion: (Johnson, B. Merkel) to adjourn to closed session at 6:57 p.m. according to Wisconsin State Statutes 1985(1) (c). Carried by Roll Call vote: Sohns, Johnson, Luetzgen, B. Merkel and J. Merkel.*

Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises

responsibility – Administrator Applications

**Reconvene to open session pursuant to State Statute 19.85(2) to take any action(s) or adopt resolution on issues discussed in closed session:** *Motion: (Johnson, Luetzgen) to exit closed session at 7:58 p.m. Carried*

**Approve action(s) taken in closed session:** *Motion: (Johnson, B. Merkel) to approve action(s) taken in closed session Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility – Administrator Applications. Carried*

**Adjourn to closed session according to Wisconsin State Statutes 19.85(1) (c):** *Motion: (Johnson, B. Merkel) to adjourn to closed session at 8:02 p.m. according to Wisconsin State Statutes 19.85(1) (c). Carried by Roll Call vote: Sohns, Johnson, Luetzgen, B. Merkel and J. Merkel.*

Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility – Maintenance Applications

**Reconvene to open session pursuant to State Statute 19.85(2) to take any action(s) or adopt resolution on issues discussed in closed session:** *Motion: (Sohns, B. Merkel) to exit closed session at 8:30 p.m. Carried*

**Approve action(s) taken in closed session:** *Motion: (B. Merkel, J. Merkel) to approve action(s) taken in closed session Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility – Maintenance Applications. Carried*

**Harbor Commission Term Appointments:** Terms for three commission members are expiring – Dave Harris, Rick Hecker, and Bob Grawien. All three incumbents have submitted letters of interest. Tom Schroeder has submitted a letter of interest and meets the commission qualifications. *Motion: (Johnson, J. Merkel) to reappoint Dave Harris, Rick Hecker, and Bob Grawien to the Harbor Commission for another term. Carried* Tom Schroeder was thanked for his interest in the commission.

**Parks & Lands Committee:** Terms for two committee members are expiring – Brian Hackbarth and John Lancaster. Both incumbents have submitted letters of continued interest. *Motion: (J. Merkel, Johnson) to reappoint Brian Hackbarth and John Lancaster to another term. Carried*

**Consideration of truck loader/vacuum and mower purchase:** Sohns gave an overview of the Toro Grandstand 52” from May’s Motorsports with a cost of \$8,837. \$2500 more for bagger option. Warranty is 5-year mower/1200 hours. Previously presented equipment and quotes were included for consideration. *Motion: (Johnson, B. Merkel) Toro Grandslam with bagger up to \$12,000. Carried Motion: (B. Merkel, Johnson) to go with the Scag as previously presented for \$11,460. Carried* Dispose of current grasshopper when new mower is received.

**Determination of Funding for truck loader/vacuum and mower:** The 2021 budget has \$80,000 set aside for a mower, truck loader, salt spreader and chipper.

**Approve Budget Amendment for truck loader/vacuum and mower; and funds to transfer from CIP:** See previous agenda item.

**Adjourn:** *Motion: (Johnson, B. Merkel) to adjourn at 9:00 p.m. Carried*

Respectfully submitted,

Beth Hagen  
Clerk