

**TOWN OF GIBRALTAR
REGULAR MONTHLY MEETING
WEDNESDAY MAY 5, 2021
GIBRALTAR TOWN CENTER
4097 HIGHWAY 42, FISH CREEK WI 54212
7:00 PM**

Approved: June 2, 2021

Call to order: Steve Sohns called the regular meeting to order at 7: 05 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 confirmed the agenda had been properly noticed. *Motion: (Johnson, B. Merkel) to adopt the agenda as presented. Carried*

Approve minutes of previous meeting(s): *Motion: (Johnson, J. Merkel) to approve the minutes of the special closed meeting of April 7, 2021 as written. Carried Motion: (B. Merkel, Johnson) to approve the minutes of the regular meeting of April 7, 2021 as presented. Carried Motion: (Johnson, J. Merkel) to approve the minutes of the special closed meeting of April 14, 2021 as written. Carried Motion: (B. Merkel, Luetzgen) to approve the minutes of the special meeting of April 15, 2021 as amended. Carried Motion: (Johnson, J. Merkel) to approve the minutes of the special closed meeting of April 19, 2021 as written. Carried Motion: (Johnson, Luetzgen) to approve the minutes of the Annual Road Review of April 26, 2021 as written. Carried*

Committee/Commission Reports

Parks & Lands: Kelly Murre reported the committee met last month and reviewed seasonal preparations. Volunteers were at the ready for the planting of 85 trees in Fish Creek Park last week. Many thanks go to Laurie Buske, Linda Merline, David Lea, Ilona Zamora, Gerry Schwaller, Tom Thurman, Andrea Kinsey-Jauquet and Kurt Linczmaier.

Fire Department/EMR: Fire Chief Bertges reported a call volume of 17 in April, up from 10 last year. The strategic survey on the website; survey participation is highly encouraged. The UTV for Chambers Island should be delivered in the next couple weeks.

Law Enforcement: Officer Roesch reported 80 contacts for the month. Parking ordinance codification is nearing completion. Signage for parking and the new parking lot is being looked at.

FCCA: Karlie gave a recap of April. 25,000 new brochures are ready. Posters and the padded map will be set by the end of the week. The Visitor Center will be opening this weekend. A “short and sweet” Grand Opening for the gazebo at Noble Square will be held on June 22nd at 3:55 p.m. preceding the first concert in the park for 2021.

Airport: No report.

Noble House: Laurie Buske stated she is busy prepping for 2021. GHA is looking for docents and ghost tour docents; contact Laurie if interested. Current members – thank you for your continued support, welcome to new members and for those not yet members we would love to have you as a member. Volunteers are always needed – contact Laurie.

Watershed: No report. Kelly stated the office has received numerous reports of the suckers running up the creek.

Plan Commission: No report.

Harbor Commission: No report.

Room Tax: Bill Weddig stated the commission met and reviewed February’s income; the town is up 24.25%.

Building Committee: Karl Stubenvoll reported the committee met and held their first facilities inspections – fire station and town shop. Next Monday the airport and old town hall.

Clerk: Beth Hagen stated there is change afoot in the office with the anticipated hire of an administrator and the leaving of Sara Lancaster. We wish Sara well in her new position at the Peninsula Pulse.

Door County Coastal Byways Council: There is a Ribbon Cutting Event June 17th at 1 p.m. at Lakeside Park in Jacksonport for the recent designation of the byway as a National Scenic Byway. There was further discussion about a JEM grant. The next meeting will be May 19th at the Gibraltar Town Center.

1 **Chairman:** Steve Sohns stated good news and sad news. Sara Lancaster, our administrative assistant, is the
2 sad news she left here and started at the Peninsula Pulse. The board thanked her for her 3 years here and the
3 talents that she brought. Good news is we are hiring our first town administrator - Travis Thyssen. A new
4 maintenance employee began on Monday - Bobby Bittorf; he is a welcome addition to the crew. Projects:
5 the power pole at Hwy. 42 and Main is nearly complete. Ward asked about the status of grouping the audio
6 and video. The "Owl" was previously recommended and in use in Jacksonport. Steve stated he ordered
7 something that will cost less than the \$1,000 (Owl) option and will see how it works at the next meeting.
8 Brian asked how the streetlighting issue (some lights are not lighting and leaving dark areas in town when on
9 the dimming feature) is being resolved. Steve called Ken Tallion and he is working toward a resolution.
10 Steve will have the lights turned on to full power using the dust till dawn eye control until the issues are
11 resolved.

12
13 **Public Comment:**

- 14 • Karl Stubenvoll shared concerns about new parking lot signage.

15
16 **Agenda Items:**

17 **Beach Project Phase II Update:** Sohns reported that Kahr is driving posts today and putting in pipe on
18 Friday. Kahr offered natural stone steps vs. the concrete as originally specified. Items of discussion were changes
19 to cost, finish date and Baudhuin approval meeting permitting. *Motion: (Johnson, Luetgen) to approve the suggested*
20 *change as long as there is no added cost, doesn't change the timeline and meets our design engineer's specifications in writing. Carried.*
21 *J. Merkel opposed.*

22
23 When the plan had the masonry wall there was to be a 12" planting area. Now with the change to dimensional
24 stone the wall does not have a clean-cut edge for the planting area. Kahr is concerned that the town may not like
25 the cut out look of the jagged edge of the stone and the grasses or possibly have the concrete poured up to the
26 stone. The landscaper is looking into the planting area.

27
28 The storm sewer pipe is being moved to its final resting location.

29
30 **Cedar Corporation:** Sohns stated that the DOT has approved an extension for Vinton do the work for
31 sidewalk and driveway by Memorial Day. Beach should be usable by Memorial Day. The radar speed sign
32 permit is waiting for DOT approval; if approved it could be installed by end of June.

33
34 **Judd Property Improvement:** Connie Judd presented the vision for the family farm and wetlands "in the
35 enchanted forest." Judd Acres LLC "Dream Catchers" has been created; a conservation designation will be on
36 the property. A family farm with a subdivision type area will be created for affordable housing. "Dream Catchers"
37 will protect Henry's legacy. Connie also spoke to her memories of Ray Slaby Jr. and wish that he not be forgotten.

38
39 **Review/approve the Stormwater Management Plan for the Peninsula School of Art:** Sohns was
40 contacted by Steve Parent regarding the stormwater plan at the Art School. Soil and Water is asking that the
41 board OK the stormwater plan at the school. The stormwater plan is a county issue. Attorney Gagan stated
42 it is fine that the town know about it but should stay out of it, give no approval or opinion.

43
44 **Approval of Town Administrator Final Draft Contract:** *Motion: (Johnson, B. Merkel) to approve the Town*
45 *Administrator Final Draft Contract. Carried*

46
47 **Consideration of Entering into Town Administrator Contract:** *Motion: (Johnson, J. Merkel) to enter into the Town*
48 *Administrator Contract. Carried* The board welcomed Travis Thyssen is the new Administrator; he will be starting
49 on May 24th.

50
51 **2020-2021 Liquor License Application: Door County Cherry Hut, 8813 Hwy 42, Class "A" and**
52 **"Class A" Licenses:** Mr. Estes stated there will be 1 or 2 acoustical bands at the Beer Garden area which
53 will be open May to November. The business will close by 10 p.m. *Motion: (Johnson, B. Merkel) to approve 2020-*

1 2021 Liquor License Application: Door County Cherry Hut, 8813 Hwy 42, Class "A" and "Class A" Licenses. Carried

2
3 **2020-2021 Liquor License Application: Sonny's Pizza LLC, 8813 Hwy 42, Class "B" and "Class C"**
4 **Licenses:** *Motion: (Johnson, J. Merkel) to approve the 2020-2021 Liquor License Application: Sonny's Pizza LLC,*
5 *8813 Hwy 42, Class "B" and "Class C" Licenses. Carried*
6

7 **Consideration of ATV Route Trial Period Expiration:** Sohns stated the trial period is about to expire and
8 asked if the board had any concerns on making the route permanent. There were no concerns by the board.
9 Cathy Wolffe expressed safety concerns. *Motion: (J. Merkel, Johnson) to approve Ordinance 2021-05 Amending*
10 *Ordinance 2018-03 Regarding All-Terrain and Utility-Terrain Vehicle Routes (it amends the trial status of the previous*
11 *ordinance). Carried*
12

13 **Road Review Findings:** Sohns consolidated the notes that had been taken during the road review. A
14 separate list was made sent out to vendors that have previously worked with the town; ads will also be placed.
15 The board reviewed the notes for errors/corrections. Johnson stated Elm Street has a lack of shouldering,
16 and a faded centerline. This is a 2-way street where a portion has no parking due to the sanitary district
17 access. Sohns stated the bigger question is do we want to restrict parking on the south side of the road.
18 Brian Merkel did not remember if the road was surveyed. Where is the road in relation to the ROW. A
19 survey should be looked at and previous minutes evaluated prior to taking any further action. A survey was
20 completed for FCSD#1. Steve will check into the cost for centerline striping. Additional signage will be
21 placed. When additional information is gathered for Elm Street it will be reviewed. Crack sealing and chip
22 sealing will be advertised.
23

24 **Consideration of Cottage Row Tree Removal on Private Property Relevant to Road Resurfacing:**
25 The road survey is anticipated to start within the next few weeks and the removal discussion is best served
26 after that is completed.
27

28 **2021 Road Improvements:** Sohns stated based on the review he sent out requests for pricing. Also see
29 Road Review Findings.
30

31 **Update 2-year Capital Road Improvement Plan 2019-2021:** The 2019-2021 Capital Road Improvement
32 Plan was reviewed for those projects completed and needing to be added.

33 **Current 2-year Capital Road Improvement Plan: 2019-2021**

34 **Amendments discussed.**

- 35 ~~✚ Peninsula Players grind and pave with 2 lifts, and 2' shoulders~~
- 36 ✚ Lower Cottage Row grind and pave 18' wide
- 37 ✚ Maple Grove East 2 lifts grind and pave 24' and widen shoulders
- 38 ✚ Gibraltar Bluff Road from Upper Cottage Row to Orchard grind and pave 2.5" asphalt
- 39 ✚ High Ridge Road double lift
- 40 ✚ Create bike path from Bluff to Town Center
- 41 ✚ Multi modal path from Gibraltar School to township line at Highland Road and County A
- 42 ✚ Paved shoulders for all roads on bike and ped plan
- 43 ✚ Gardner Court pave
- 44 ✚ Juddville from Hwy 42 to the bay
- 45 ✚ **White Cliff Road**
- 46 ✚ **Rural Path from YMCA to Northhaven**
- 47 ✚ **Trail from Peninsula Park through Fish Creek**
- 48 ✚ Cedar Court
- 49 ✚ Hill Street
- 50 ✚ Bluff Street
- 51 ✚ **Roads included in Phase 2: Ula Street & Lower Cottage Row, Main Street, Cedar Court, Maple**
52 **Street and Spruce Street**
53

1 *Motion: (B. Merkel, Johnson) to amend the 2-year Capital Road Improvement to include what was previously discussed.*

2 Carried

3
4 **Ordinance No. 2021-04 Amending Ordinance 2007-07 Regarding Building Code:** Sohns stated in
5 looking into the lateral inspection issue within the sanitary district at best there is a lack of communication.
6 In conversation with our current inspector Brett Guilette, he said he has the license to do the inspections, has
7 never said he would not do it and is still willing to do it. There seems to be a lot of miscommunication
8 between the FCSD#1 and him. He is not necessarily notified when laterals are done and was never told
9 about Cottage Row grinder requirements. It was noted that quite often sanitary districts do the inspections
10 but from what he got from FCSD#1 they were not interested. He is fine with doing them, but better
11 communication needs to happen to be successful. The district most often gets word of a hook up, so he
12 needs to be told about them. Bill Weddig stated there are situations where the district is not aware of when a
13 grinder is being replaced etc. The sanitary district did not want to take on the liability going on private
14 property. The board stated Brett and the sanitary district are to work out the communication issues. The
15 board did not amend ordinance 2007-07.

16
17 **Consideration of Airport Operations and Maintenance Costs Special Agency Agreement CRRSSA**
18 **Stimulus Funds:** *Motion: (Johnson, B. Merkel) to approve the Airport Operations and Maintenance Costs Special Agency*
19 *Agreement CRRSSA Stimulus Funds. Carried*

20
21 **Determination of Master Arbitrage Services Contract (Spend Down Analysis) with Ehlers:** *Motion:*
22 *(Johnson, J. Merkel) approve the contract up to \$2,500 and before getting that commitment and understanding that this be an*
23 *annual review.*

24
25 **Display Ordinance Recommendation:** The display ordinance has been sent to the town attorney and will
26 be on a future agenda. The previous Plan Commission recommendation will be sent to the town board.

27
28 **Business License:** The license was reviewed. Attorney Gagan will be creating an ordinance that would
29 coordinate with the license. *Motion: (Johnson, J. Merkel) to approve the application as submitted with an application fee of*
30 *\$25 attached to the fee schedule and the board review the suggested ordinance at the next meeting. Carried*

31
32 **Fish Creek Beach Payment Application #2:** *Motion: (Johnson, J. Merkel) to approve Payment Application #2 to*
33 *Death's Door Marine for \$133,825.26. Carried*

34
35 **Payment of Bills:** The board reviewed the bills for payment. *Motion: (Johnson, Luetzgen) to approve the bills as*
36 *submitted. Carried*

37
38 **Adjourn to closed session according to Wisconsin State Statutes 19.85(1) (c):** *Motion: (Johnson, J. Merkel)*
39 *to adjourn to closed session according to Wisconsin State Statutes 1985(1) (c). Carried by Roll Call vote at 9:47 p.m. Sohns,*
40 *Luetzgen, Johnson, B. Merkel and J. Merkel*

41
42 **Considering employment, promotion, compensation or performance evaluation**
43 **data of any public employee over which the governmental body has jurisdiction**
44 **or exercises responsibility – Maintenance and Administration Departments**

45
46 **Reconvene to open session pursuant to State Statute 19.85(2) to take any action(s) or adopt**
47 **resolution on issues discussed in closed session.:** *Motion: (Johnson, B. Merkel) to enter into open session at 10:13*
48 *p.m. Carried*

49
50 **Approve action(s) taken in closed session:** *Motion: (Johnson, Luetzgen) to approve action taken in closed session*
51 *Considering employment, promotion, compensation or performance evaluation data of any public employee over which the*
52 *governmental body has jurisdiction or exercises responsibility – Maintenance and Administration Departments. Carried*

1 **Adjourn:** *Motion: (Johnson, B. Merkel) to adjourn at 10:13 p.m. Carried*

2

3 Respectfully submitted,

4

5 Beth Hagen, Clerk