


**TOWN OF GIBRALTAR  
 REGULAR MONTHLY MEETING  
 WEDNESDAY, DECEMBER 1, 2021  
 GIBRALTAR TOWN CENTER  
 4097 HIGHWAY 42, FISH CREEK WI 54212  
 7:00 PM**

To mitigate the impact of COVID-19 this meeting can be attended remotely.  
 To join via phone: Call 1-312-626-6799  
 To join via Zoom meeting:  
[www.zoom.us](http://www.zoom.us)  
 Meeting ID: 891 8527 9043  
 Password: 381250

1. Call to order
  2. Pledge of Allegiance
  3. Roll call/quorum
  4. Agenda/proper notice/adopt agenda D/A
  5. Approve minutes of previous meeting(s) D/A
  6. Committee reports
  7. Public comment
  8. Special Event Request: Visit Fish Creek, Winterfest – Use of Clark Park, Feb. 2-7, 2022
  9. Petition to Re-Zone Tax Parcel: 014-02-28312743F2 from Village Commercial to General Commercial D/A
  10. Adopt 2022 Budget D/A
  11. Fish Creek Fish Passage Culvert Bids – Consider Re-bidding for the Fall D/A
  12. Rescind Ordinance No. 1998-04 Combine Clerk/ Treasurer D/A
  13. Chambers Island Fire Station and Dock Lease Reassignment to Chambers Island Marina Company, LLC D/A
  14. Consideration of Sunset Beach Drainage D/A
  15. Appoint 2022-2023 Election Officials D/A
  16. Reconsideration of Official Posting locations D/A
  17. Consideration of Police and Fire Chief Credit Cards D/A
  18. Consideration of Recurring Monthly Payment Options D/A
  19. Employee Benefit Schedule D/A
  20. Approval of amended STR ordinance D/A
  21. Other Fee Schedules D/A
  22. Approve the Payment of Bills D/A
  23. Adjourn D/A
- /s/ Steve Sohns, Chairman

**DEVIATION IN ORDER MAY OCCUR**

Posted: November 24, 2021



Kelly Murre, Clerk

- Fish Creek Post Office
- Fish Creek BP
- Nicolet Bank – Fish Creek Branch
- Town Website

*In compliance with the Americans with Disabilities Act, any person needing assistance to participate in this meeting, should contact the Office of the Town Clerk at (920) 868-1714. Notification 24 hours prior to a meeting will enable the Town to make reasonable arrangements to ensure accessibility to that meeting.*

*\*Any item may have action taken unless otherwise specified*

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

**Approved:**

**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 Luetngen, 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, J. Merkel) to adopt the agenda as presented. Carried*

**Approve minutes of previous meeting(s):** *Motion: (Johnson, Luetngen) to approve the minutes of the October 6, 2021 as written. Carried*

*Motion: (B. Merkel, Johnson) to approve the minutes of the October 18, 2021 special meeting, as written. Carried.*

**Committee/Commission Reports**

**Parks & Lands:** Buske reported the committee is finalizing the end of year projects with wall repair, bench purchases and tree planting at the beach. Purchased a stove for the Lighthouse and received paint and supplies for the lighthouse. Holiday lighting sub-committee met with 3 new features. At least 5 benches are rotten and will not be able to be repaired.

**Fire Department/EMR:** Thyssen reported Oct. call volume is 23 calls. CO2 and propane calls are starting to come in. Chief Bertges recommends having detectors checked.

**Law Enforcement:** Chief Roesch reported 85 contacts for the month. Started Certification program for incident

**VFC:** Karlie reported Jack o'Lantern Days were a success. Thank you to the Town guys for helping with the trail. Over 600 people went through the haunted trail. X Mas trees were ordered. 1168 points of contact. Working on virtual events and membership drive.

**Noble House:** Buske reported museum will be closing for the season. Audio tours have been up. Wreath sale is currently going. Searching for a tree at Noble Square.

**Airport:** Franke reported the BOA has a \$23,000 credit memo for the Airport. Able to apply some of the credit for the U-Fuel system.

**Watershed:** No report

**Plan Commission:** No report

**Harbor Commission:** Harris reported the dock is closed for the season. It was a very good year. Mooring inspections were done this fall. Harbor Commission intends to lower the docks. Staff did a great job with many most returning next year.

**Room Tax:** Weddig reported the Commission met Oct. 21 to review August. 20% over 2020, 21-22% over 2019. TOG up 46% over 2020 and 36% over 2019.

**Building Committee:** Town crews will be going out to the Island this week.

**Door County Coastal Byways Council:** No report

**Clerk:** Murre reported the office plans to have the business license/STR license application on the website soon with an option to pay online. Special meetings of the electors on Nov. 10<sup>th</sup> for the budget and Nov. 15 to vote on the purchase of the Kinsey property. 2022 Spring election - 2 supervisors up for re-election. Can circulate nomination papers beginning Dec. 1<sup>st</sup>

**Treasurer:** No report

**Administrator:** Thyssen reported staff has been holding information meetings regarding the property purchase. Maintenance will be going out to the Island tomorrow. Saturday at 10 AM will be the 3<sup>rd</sup> informational meeting.

**Chairman:** Sohns reported Jack Days was a huge success. Miller Engineers is getting together the RFP and bid packages for the culvert project. Starting work on land prep for the fire building on Chamber's Island.

1  
2 **Public Comment:**

3 Stubenvoll inquired about the solar panel on the radar signal. Staff has discovered it works optimally at the  
4 angle it is at. Will continue to monitor.  
5

6 **Agenda Items:**

7  
8 **Special Event Request: Ugly Sweater Fun Run, December 4, 2021, partial Gibraltar Rd. closure:** The  
9 Northern Door YMCA is requesting a partial road closure from 9:45 to 11:15 am for their Ugly Sweater Fun  
10 Run. *Motion: (Johnson, Luetzgen) to approve the request as presented. Carried.*

11  
12 **2021-2022 Airport Snow Removal Proposal:** Franke and Drajesk are requesting \$2800 to be reimbursed to  
13 the Airport for snow removal from the personal property tax collected. *Motion: (Johnson, Luetzgen) to apply*  
14 *\$2800 to the airport for snow removal this year. Carried, Sobns opposed.*

15  
16 **Commissioners of Public Lands Property Purchase Considerations/Application and Resolution:**

17 Treasurer Cain-Bieri presented the proposed financing plan through the Commissioners of Public Lands,  
18 pending electoral approval. The interest rate would be locked at 3% for 10 years. Total payment per year is  
19 \$452,793.36, at minimum, the town dock can provide \$100,000 annually towards that payment. The rest of  
20 the payment would be levied with a tax impact of \$47/\$100,000 to the taxpayers. The 10-year loan saves the  
21 taxpayers \$1,029,348.64 over the life of loan versus the 20-year loan. There is the possibility for the dock to  
22 provide additional funding towards the loan with additional revenues. First payment will be March 2023.

23 The application includes a resolution of the Town Board.

24 *Motion: (Johnson, B. Merkel) to approve the proposed financing plan and resolution provided by BCPL. Carried by Roll call*  
25 *vote: Sobns-Aye, B. Merkel-Aye, J. Merkel-Aye, Johnson-Aye, Luetzgen-Aye.*

26 *Clerk Murre read the preamble and resolution into the record.*  
27

28 **Fish Creek Scenic Boat Tours and Fish Creek Boat Rentals Lease Renewal:** The Harbor Commission  
29 has recommended a 2-year lease agreement for both Fish Creek Scenic Boat Tours and Fish Creek Boat  
30 Rentals. The rate per year would be \$12,500 each plus commercial fees. Cody Bolton brought up concerns  
31 regarding the linear rate. FCSBT would see an increase, while the Boat rentals would see a decrease.  
32 The West side of the dock has limited access whereas the east side is more desirable.

33 The leases now require a \$2,000,000 insurance liability.

34 Bolton requested the use of the horn not be included in the lease.

35 Thor Johnson would like to have an additional boat considered.

36 Harris stated both Thor and Cody have been doing a great job.

37 *Motion: (Johnson, Luetzgen) to approve the lease agreements as presented with the exception of the horn requirement. Carried.*  
38

39 **Road Bid Requests for 2022 LRIP Grant Funding and Review:** Staff recommends soliciting bids and  
40 applying for LRIP grant funding for Clark Bluff Circle, Gibraltar Bluff Rd (Cottage Row to Orchard), or  
41 Island View Rd. Island View Road is rated a 3 in several sections of the roadway with significant spalling and  
42 sections of broken asphalt. There is a safety concern at the dip. *Motion: (Johnson, J. Merkel) to apply for grant*  
43 *funding and solicits bids to mill and pave for Island View Rd. Carried.*  
44

45 **Approve Ordinance 2021-10 Rename Town Road 50:** *Motion: (B. Merkel, J. Merkel) to approve Ordinance 2021-*  
46 *10 to rename Town Road 50 to Shine Ln. Carried.*

47  
48 **Approve Ordinance 2021-11 Rename Town Road 68:** *Motion: (B. Merkel, Johnson) to approve Ordinance 2021-*  
49 *11 to rename Town Road 68 to Rocky Beach Ln. Carried.*

50  
51 **Approve Ordinance 2021-12 Rename Town Road 69:** *Motion: (Johnson, B. Merkel) to approve Ordinance 2021-*  
52 *12 to rename Town Road 69 to Bare Bottom Beach Rd. Carried.*  
53

1 **Consideration of Reserve Liquor License Issuance Discussion Only:** The Town currently has one  
2 reserve license remaining. Several business owners have inquired about the remaining license. The minimum  
3 the Town could receive for the license is \$10,000.  
4 Need to be certain there is still a reserve license available. Direct staff for guidance on utilization and resale.  
5

6 **Approve Ordinance 2021-06 Noxious Weeds:** *Motion: (Johnson, J. Merkel) to approve ordinance 2021-06 Noxious*  
7 *Weeds as presented. Carried.*  
8

9 **Consideration of Poll Worker Wage Increase:** Clerk Murre recommends increasing the poll worker wage  
10 to \$15/hour. Some recruitment may be needed for the 2022-23 election cycle.  
11 *Motion: (B. Merkel, Johnson) to approve the poll worker wage increase to \$15/hr. Carried.*  
12

13 **2022 Dog License Fees:** Staff recommends increasing the Dog License fee to \$5 for an altered dog and \$10  
14 for an unaltered dog to help cover administrative expenses.  
15 *Motion: (Johnson, B. Merkel) to increase the dog license fees to \$5 and \$10. Carried.*  
16

17 **Other Fee Schedules Discussion Only:** Other fees to consider: Cemetery, operator's licenses, facility use  
18 rentals. Staff will have recommendation next month.  
19

20 **Approve 2021-2022 Operators Licenses:** *Motion: (B. Merkel, Johnson) to approve the additional 2021-22 operator's*  
21 *licenses. Carried.*  
22

23 **Consideration of Budget Enhancement Proposals:** Staff recommends the Board replace the small tractor,  
24 purchase the radar speed sign, and engage in a 5-year lease to own ditch mowing tractor combination. Staff  
25 also recommends setting aside \$15,000 for fire building and site management on Chambers Island.  
26 *Motion: (Johnson, J. Merkel) to purchase the 4 items as discussed. Carried*  
27

28 **Approve Intergovernmental agreement with the Door County Highway Dept:** *Motion: (Johnson, Sobns) to*  
29 *approve the intergovernmental agreement with the Door County Highway Department to include road closures for emergency*  
30 *response and snowplowing of local roads. Carried*  
31

32 **Consideration of Driveway Variance Request, 3015 Gibraltar Rd:** Jerry Phelps has requested a variance  
33 to the Town's driveway ordinance. This driveway is a secondary driveway for a small cottage. Fire Chief  
34 Bertges has reviewed and has no objection. Fire/EMS services will be able to access the property from the  
35 primary drive. *Motion: (Johnson, B. Merkel) to approve the driveway variance request. Carried.*  
36

37 **Approval to Complete Emergency Wall Shoring Work at Sunset Beach:** Kahr provided a proposal of  
38 \$9000. *Motion: (Johnson, Luetgen) to approve the whole fix for \$9000. Carried*  
39

40 **Approve the Payment of Bills:** The board reviewed the bills for payment. *Motion: (Johnson, J. Merkel) to*  
41 *approve the bills as submitted. Carried*  
42

43 **Adjourn to closed session according to Wisconsin State Statutes 19.85(1) (c)(g)**

44 *Motion: (Johnson, B. Merkel) to adjourn to closed session at 9:39 PM by roll call vote: Sobns, B. Merkel, J. Merkel, Johnson,*  
45 *and Luetgen. Carried.*

46     ✚ **Considering employment, promotion, compensation or performance evaluation data of**  
47 **any public employee over which the governmental body has jurisdiction or exercises**  
48 **responsibility – Staff Wages**

49     ✚ **Conferring with legal counsel for the governmental body who is rendering oral or written**  
50 **advice concerning strategy to be adopted by the body with respect to litigation in which**  
51 **it is or is likely to become involved: General Town Matters**

52 **Reconvene to open session pursuant to State Statute 19.85(2) to take any action(s) or adopt resolution**  
53 **on issues discussed in closed session**

1 *Motion: (B. Merkel, Johnson) to reconvene to open session at 10:36 PM. Carried.*

2 **Approve Action(s) taken in Closed Session:** None

3

4 **Adjourn:** *Motion: (Luetgen, Johnson) to adjourn at 10:37 PM. Carried*

5

6 Respectfully submitted,

7

8 Kelly Murre, Clerk

Draft

**TOWN OF GIBRALTAR  
SPECIAL MEETING  
WEDNESDAY, NOVEMBER 17, 2021  
GIBRALTAR TOWN CENTER  
4097 HIGHWAY 42, FISH CREEK WI 54212**

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

**Roll call/quorum:**

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

Absent: None

Also Present: Administrator Thyssen and Dennis Steigenberger from Cedar Corp.

**Foundation Repair at Noble Square:** Laurie Buske gave a brief summary of the background of the project and work needed. Karl Stubenvol had DeVooght look at the site and learned that the full kitchen and summer kitchen are all moving, and chimney support is needed. DeVooght and R&M came together to look at the project. If any work beyond the kitchen and summer kitchen is needed, the Historical Society would have to approve the work. Insulated blankets could be brought in so that work could be done in the winter, most of the work can be done from outside the building. Bill Johnson suggested a mud slab to help with the longevity. An additional quote would be needed for the mud slab. B Merkel asked if the brick pavers were addressed in the past. Buske said it was redone, and there is sand underneath the pavers and the relaying the bricks is in the proposed bid. B Merkel said there might be an opportunity to put concrete underneath the bricks while everything is already tore up. Thyssen suggested that the wall capping could be delayed until 2023 and those funds could be used towards the foundation project. Buske said there is a portion of the wall that may not make it another year so she suggested fixing the part of the wall in the worst repair. Staff will talk to the contractors to get prices for the mad slab. *Motion: (Johnson, Luetzgen) approve proposed bids as submitted (\$37,170.00) and look into bids for the mud slab and concrete for under bricks. Carried*

**Information Gathering and Board Direction Regarding Downtown Campus (Old Downtown Area) and Cottage Row Rd with Cedar Corporation:**

Cottage Row: Presentation by Dennis Steigenberger from Cedar Corp., CAD files were received from Baudhuin and Cedar created a topography from those files. There are a few spots where the asphalt is outside of the right-of-way other places are close. That asphalt is 17-19ft wide. The questions the boards need to consider is widening the road and realigning the road, he doesn't recommend less than 18ft wide. Thyssen asked Cedar to come up with conceptual ideas for the end of the road where there is turn around problems. Thyssen met with homeowners and the feeling was neutral on the project as the turnaround is aesthetically appealing and emergency vehicles can turnaround. Thyssen met with the owner of the property adjacent to the proposed turnaround right-of-way, Mr Kane, and he was interested in entertaining conversations with the town to acquire the land needed to create the turnaround. Approximately .25 acre would need to be obtained for the project.

The board examined the drawings and discussed ideas and directives. Part of the center of the circle would be existing woods and other trees would be added as needed to keep it more natural looking. B Merkel is concerned with the island curb areas for snow removal and de-icing. Paving and striping the area and leaving it flat is an alternative, signs can be placed in the larger circle. Suggested that the center circle have flat concrete with a gutter without a curb so it is easier for plowing, this will still hold the pavers.

*Motion (Johnson/Sohns) proceed with the Cottage Row project with modifications as discussed, including making the small triangles asphalt with striping and keep the center circle concrete flush with the asphalt but still serving as a curb. The road should 20 feet wide, where possible. Directed Thyssen to make further contact with Mr Kane about the land needed. Carried*

Cedar Court: Steigenberger said a topographical map was created and right-of-way identified. The project is suggested to be completed in stages to allow for the tourist season, accommodate businesses, and fit it into budgets. Storm sewer pipe repairs are considered in the project. It is necessary to know the plan for Main Street as well when looking at the project. On the end of Main Street the board asked the design to include a curb on the road, drainage solutions, lighting, and sidewalks. The plan should be consistent with the streetscape of 42. The board wants Dennis and Travis to come up with multiple conceptual design plans for all areas. *Motion (Johnson/B Merkel) to continue with conceptual design plans including cost of burying power lines and continuing with the streetscape design along HWY 42 per discussion. Carried*

**Door Central Snowgoers request for road route** – Gibraltar Rd. to Maple Grove Rd. to Sugar Bush Rd:  
Lynn Murcurio asked if this has been done every year? Yes, so far it is a temporary route. With this route the snowmobiles can ride on the asphalt. The road isn't maintained differently as far as snow for the snowmobiles. Lynn asked if there was a concern for wear and tear on the new road? No, because there is some gravel. In general, it is not desirable for snowmobiles to ride on asphalt. *Motion (Johnson/B Merkel) to approve the Door Central Snowgoes request. Carried*

**Adjourn:** *Motion: (Johnson, B. Merkel) to adjourn at 8:12 p.m. Carried*

Respectfully submitted,

Theresa Cain-Bieri  
Deputy Clerk, Treasurer

DRAFT

To: Town Board  
From: Town Staff

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Request:

Visit Fish Creek Inside/Winterfest, Feb. 2-7, 2022

Use of Clark Park, the Old Town Hall, tent, road closure, dumpster, port-a-potties, warming fires, and fireworks.

3 – Banners, 3 – Sandwich Boards

Fruit Loop Run on Sunday

Temporary Class “B”/“Class B” Retailers Licenses

Analysis:

This is a recurring approval. The Town Board has approved this event in previous years.

Background:

The town has approved this in previous years.

**Special event request: FCCA 2020 Winter Festival January 31 - February 2, 2020 use of Clark Park, Old Town Hall, tent, portables, banners, trolley stops, road closures, fireworks, law enforcement assistance:** Denise Stillman stated the FCCA is requesting use of Clark Park, the Old Town Hall (GHA), tent, Port-a-Potties, Trolley stops, 2 banners 2 weeks before event, road closures Maple Street from Spruce to the East ramp and Spruce Street from Maple to the West ramp, 3 sandwich boards (42 and Main, Noble Square and Peninsula Park entrance Saturday only, temporary road block Sunday for the Fruit Loop Run, dumpsters behind Town Hall, blocked parking on east and west side of Spruce Street at Clark Park, warming fires/fire rings. *Motion: (Sohns, Johnson) to approve the event request as submitted. Carried*

**Application of Temporary Class “B”/ “Class B” Retailers License by FCCA for 2020 Winter Festival February 1, 2020 10 a.m. – 7:00 p.m.:** Denise Stillman representing the Civic Association outlined the temporary beer and wine application for the 2019 Winter Festival on February 2<sup>nd</sup>. The time requested is 10 a.m.- 7 p.m. *Motion: (Sohns, McKesson) to approve the Temporary Class “B”/“Class B” Retailer’s License for the FCCA on February 1, 2019 at Clark Park from 10 a.m. – 7 p.m. Carried*

**Request by FCCA for fireworks permit for Winter Festival February 1, 2020 at 5:30 p.m.:** Denise Stillman representing the Fish Creek Civic Association requested a fireworks permit for February 1<sup>st</sup> at 5:30 p.m. *Motion: (Johnson, McKesson) to approve the fireworks permit for the FCCA Winter Festival on February 1<sup>st</sup> at 5:30 p.m. Carried*

Recommendation:

Staff has reviewed and supports this application.

Fiscal Impact:

No fiscal impact to the town.



**TOWN OF GIBRALTAR**

**P O Box 850 \* Fish Creek WI 54212 \* 920-868-1714**

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**SPECIAL EVENT REQUEST**

Organization Name: Visit Fish Creek/FCCA  
Address: PO Box 74  
Fish Creek, WI 54212  
Phone: 920.868.2316  
  
Requestor/Agent Name: Karlie Schultz  
Phone: 608.617.9156

**TYPE OF REQUEST**

Temp License (Beer) (Wine)  X  
Direct Sales:  X  
Use of Town Property: Clark Park & Old Town Hall  
Temp. Structure Permit: Tent in Clark Park

**EVENT INFORMATION**

Event Name: Winterfest 2022  
Date(s) of Event: Event dates 2/5 & 2/6 (set-up starting 2/2 tear down on 2/7)  
Time(s) of Event: Sat 2/5: 10am - 7pm. Sun 2/6: 9am - 2pm  
Site Location: Clark Park & Old Town Hall  
Alternative Site: \_\_\_\_\_

Fundraiser? Yes  X No \_\_\_\_\_  
Funds Recipient: VFC/FCCA & local non-profits  
Address: PO Box 74  
Fish Creek, WI 54212  
Phone: 920.868.2316

**EVENT DESCRIPTION**

Please supply any additional information about your event that would be helpful to the Town of Gibraltar in reviewing your request:

Attached.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**GIBRALTAR TOWN BOARD ACTION**

Request heard at meeting on: \_\_\_\_\_  
ACCEPTED: \_\_\_\_\_ Permit Number Issues by Clerk \_\_\_\_\_  
NOT ACCEPTED: \_\_\_\_\_  
REASON: \_\_\_\_\_

Fish Creek Winterfest 2022  
February 5 & 6, 2022

Property usage/road closures:

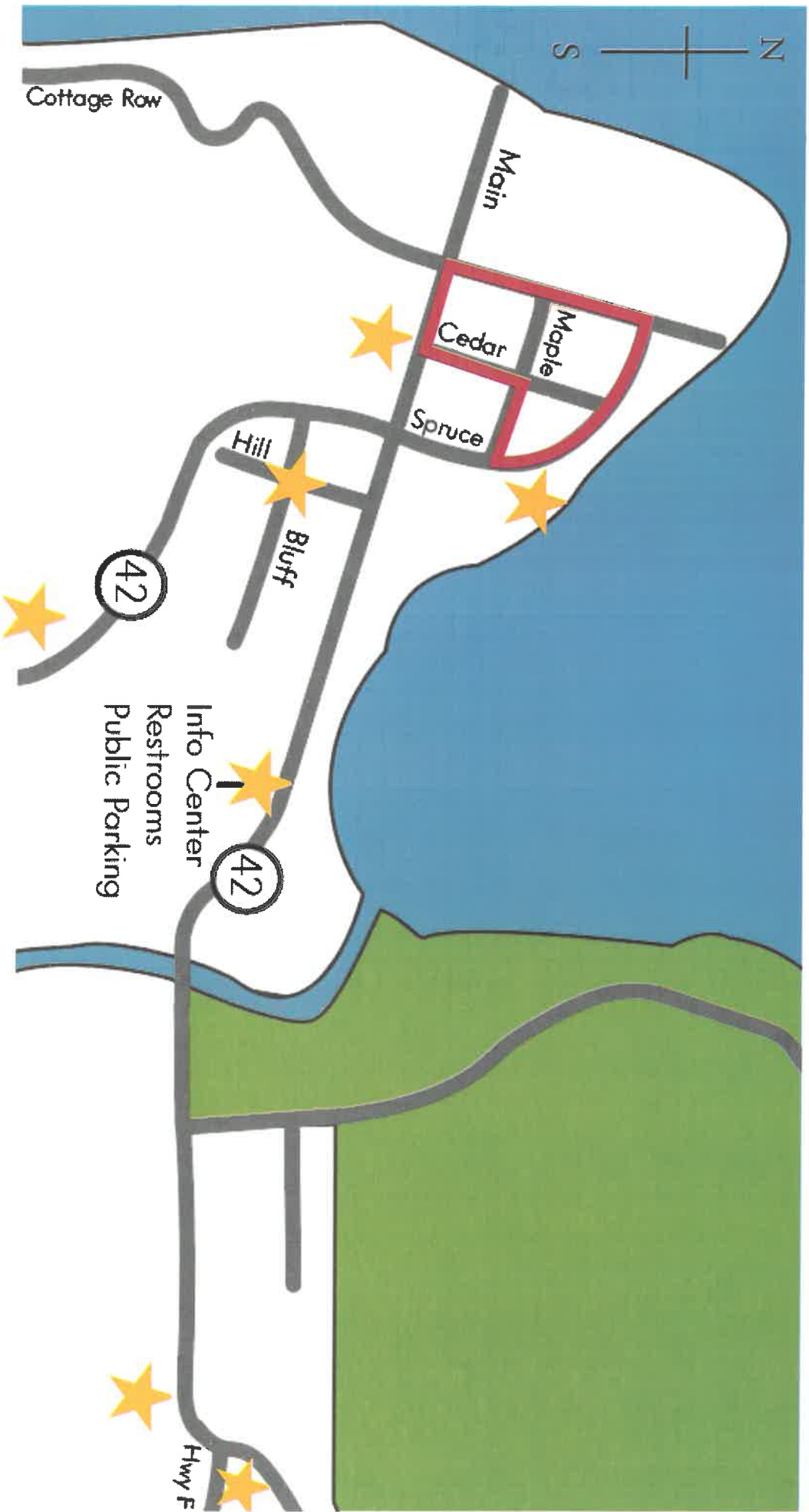
- Use of Clark Park & Old Town Hall starting Wednesday, 2/2 through Monday 2/7
- Temporary Structure – large, heated tent in Clark Park (Diggers Hot Line)
- End of Maple St. and Spruce St. closed
- East boat ramp open for games
- Dumpster behind Old Town Hall
- Porta potties next to Clark Park
- Warming fires/fire rings/fire extinguishers (fire dept. monitoring)
- Fireworks at 5:30pm Saturday – launch off town dock

Signage:

- 3 banners, 2 weeks before event (Noble Square, Park Entrance, corner of F & 42)
- 3 sandwich boards – directional for weekend (42 & Main, Noble Square & Park Entrance)

Misc:

- All insurances/permits filed or in-process of being filed
- Sheriffs reserve deputies (2) for Saturday, 2/5 from 10am – 5pm
- Trolley running on Saturday (map attached)
- Fruit Loop Run on Sunday (map attached)



**Trolley Stops for Winterfest 2022 (yellow stars)**

Main Tent | Founder's Square | Lautenbach's Orchard Country | Corner of Hill & Bluff  
Fish Creek Public Parking Lot | Top of the Hill Shops | Peninsula School of Art

***Fruit Loop Run (course outlined in red)***

**TOWN OF GIBRALTAR  
PO BOX 850, FISH CREEK, WI 54212  
PARK/FACILITY USE APPLICATION**

*Tent set up Wed 2/2 or Thurs. 2/3 depending on weather*

Name of Group/Individual Visit Fish Creek/FCCA Date of Use Feb. 2-7, 2022

Check One:  Sunset Beach Park  Clark Park  Fish Creek Beach  Fish Creek Park  
 Fire Station Meeting Room  Town Hall

Arrival Time: 9am

Departure Time: 7pm

Size of Group N/A Limit of 135 people in Town Hall

**Person Making Reservation and Accepting Responsibility**

Name Karlie Schultz

Address 4097 Main St. Fish Creek, WI 54212

Telephone Number(s) 608.617.9156 (cell)

Local Telephone Number, day of event 920.868.2316 (FC Visitor Center)

Signed *Karlie Schultz* Date 11/09/21

**\$200 DEPOSIT IS REQUIRED**

**Town Hall/ Park Fee Schedule:**

**\$ 00.00** Non Profit Community Organization (Town of Gibraltar)

**\$ 50.00** Non Profit Non-Community

**\$ 50.00** Resident

**\$100.00** Non-Resident

**Fire Station Fee Schedule:**

**\$ 00.00** Non Profit Youth Organizations

**\$ 10.00** All Non Profit Organizations

**\$ 50.00** Resident

**\$100.00** Non-Resident

**STAGE/KITCHEN \$25 MORE.**

**If cancellation is received less than 15 days before the event, there will be a \$75 charge.**

**Funds are deposited upon receipt. No credit card payments.**

**All fees are on a per use basis. The Gibraltar Town Board reserves the right to Determine fee schedule status of any/all organizations/individuals.**

It is understood that any group using the Hall/Park will leave it in as good a condition as it was found. We further agree to be responsible for paying any extra cleaning/maintenance from our deposit that may be necessary after use of the Hall/Park by our group. **All clean up is your responsibility and the deposit is not the limit of your liability.** The Town Office will refund deposit upon approval. Any accidents or problems are to be reported immediately to Patrick Stranz at 421-2139, John Fairchild at 495-0787 or Beth Hagen at 868-1714. Future use of the Hall/Park may be prohibited to any group who does not observe the enclosed regulations.

Please contact the Town Office at 920-868-1714 to make arrangements for the pickup/return of the Town Hall Key.

**No Personal Gain Events**

**Reserved use of Park does not preclude use of Park by the General Public.**

APPLICATION FOR TEMPORARY CLASS "B"/"CLASS B" RETAILER'S LICENSE

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FEE \$ 10.00

Application Date: 11/23/2021

Town of Village of City of Gibraltar County of Door

The named organization applies for: (check appropriate box(es).)

- A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis, Stats.
A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stat.

at the premises described below during a special event beginning 02/05/2022 and ending 02/05/2022 and agrees to comply with all law, resolution, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. ORGANIZATION (Check appropriate box) Bona fide Club Church Lodge/Society Veteran's Organization Fair Association

(a) Name Fish Creek Civic Association d.b.a. Visit Fish Creek

(b) Address PO Box 74 Street Town Village City

(c) Date organized

(d) If corporation, give date of incorporation

(e) Names and addresses of all officers:

President Denise Stillman - 3775 Hwy 42, Fish Creek, WI 54212

Vice President Meredith Coulson-Kanter - PO Box 160, Fish Creek, WI 54212

Secretary Karin Skare - PO Box 74, Fish Creek, WI 54212

Treasurer Cathy Hoke - PO Box 301, Fish Creek, WI 54212

(f) Name and address of manager or person in charge of affair: Karlie Schultz, PO Box 74 Fish Creek, WI 54212

2. LOCATION OF PREMISES WHERE BEER AND/OR WINE WILL BE SOLD:

(a) Street number 4051 Maple St. Fish Creek, WI 54212 (Clark Park)

(b) Lot Block

(c) Do premises occupy all or part of building?

(d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover: License to cover beverage sales in tent at Clark Park on Saturday, February 5, 2022

3. NAME OF EVENT

(a) List name of the event Winterfest 2022

(b) Dates of event Saturday, February 5, 2022

DECLARATION

The Officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

FCCA/Visit Fish Creek (Name of Organization)

Officer Karlie Schultz 11/23/21 (Signature/date)

Officer (Signature/date)

Officer (Signature/date)

Officer (Signature/date)

Date Filed with Clerk

Date Reported to Council or Board

Date Granted by Council

License No.

**PLAN COMMISSION  
NOVEMBER 23, 2021  
RECOMMENDATION**

**Petition to Re-Zone Tax Parcel #014-02-28312743F2 from Village Commercial to General Commercial:** Kerry Johnson, on behalf of the Larry A. & Diane J. Jacobson Trust, is requesting to rezone parcel 014-02-28312743F2 from Village Commercial (VC) to General Commercial (GC). The rezoning request is being sought so that the applicant may apply for a conditional use permit to establish an amusement park containing miniature golf.

**Merline opened the Hearing and Explained the Procedures.**

**Presentation:** Kerry Johnson presented her plans to rezone the parcel from Village Commercial to General Commercial to apply for a conditional use permit to establish a miniature golf course. The theme of the miniature golf course is environmental and educational. She has held informational meetings and surveyed neighbors, including Northhaven with positive feedback.

If the property were rezoned, only 3 additional uses would be allowed that would also require a conditional use.

The future land use within the comprehensive plan recognizes that area as a potential for General Commercial zoning.

**Testimony in Support:** Maria Jacobs spoke in favor.

**Testimony in Opposition:** None

**Rebuttal:** None

**Correspondence in Support:** None

**Correspondence in Opposition:** Correspondence was received from Grant and Peg Olson (Douglas Butchart Trust). They are neutral on the petition but wanted to bring awareness to why a similar project was previously denied.

Rick and Catherine Ripley, neighboring property owner.

**Merline Closed the Hearing and went through the criteria to consider when evaluating petitions to rezone.**

1. Was the existing district due to a mistake in the mapping process – No
2. Have circumstances changed for this property – No
3. How are adjacent properties zoned and used? Zoned Village Commercial: mixed use residential and commercial property is located next to the BP Gas Station
4. Is the land area in question large or small? Both
5. Would the new district fit? No, it would be spot zoning but miniature golf would fit in with this parcel
6. Is the request simply to economically benefit one property owner? Yes
7. Is there an overriding public good? It would be a family friendly recreational activity that the Town is lacking.

Could cause traffic problems.

Johnson – the Town Board has considered walking trails to Northhaven which would add to the overriding public benefit.

Intent of spot zoning would need to be considered. Would the Town Board consider rezoning that entire corridor to General Commercial?

*Motion: (Freix, Merline) based on the lack of an over-riding need to change the zoning at this time to recommend to the Town Board not to support the petition. Pillat and Johnson opposed. Motion fails due to tie vote.*

To: Town Board

From: Staff

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Request:

Approve the 2022 budget

Background:

Town staff has presented the 2022 budget

Town Board has had workshops, and a public hearing over the proposed budget

Town residents have voted 11-1 to pass the budget as presented.

Recommendation:

Town staff recommends approval of the 2022 budget as presented

Fiscal Impact:

2022 budget represents only net new construction increase and required no additional elector levy override.

To: Town Board

From: Staff

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Request:

To Re-Bid the Culvert Fish Passage for Fall Completion

Background:

Miller Engineers held bid opening on November 23<sup>rd</sup> for construction of the Fish Passage this spring. The Culvert work needs to be done during low water flow. Only one bid was received at \$144,000. The estimated project cost was \$61,750.

The grant has been extended through December 31, 2022. Miller Engineers recommends rebidding the project with work to be completed next fall. This will give more time to reach contractors and schedule.

Recommendation:

To authorize Miller Engineers to re-bid the Fish Creek Culvert Passage

Fiscal Impact:

Unknown at this time. Miller may charge for time and materials.



To: Town Board

From: Staff

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Request:

Approve Rescinding Ordinance No. 1998-04 Combining the Clerk/Treasurer

Background:

The Town approved the separation of the Clerk/Treasurer position at the November 15, 2021 special meeting of the electors.

The Board need to remove the ordinance from the books that originally combined them in 1998.

Recommendation:

To rescind Ordinance No. 1998-04 Combining the Clerk/Treasurer

Fiscal Impact:

Clerk and Treasurer salaries and benefits are included in the 2021 and 2022 budget.

To: Town Board

From: Staff

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Request:

Chambers Island Lease Reassignment

See attached.

Background:

Staff has forwarded to legal for review

Recommendation:

TBD

Fiscal Impact:

clerk

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**From:** treasurer  
**Sent:** Tuesday, November 23, 2021 9:43 AM  
**To:** clerk  
**Cc:** rrg@lcojlaw.com; tthyssen  
**Subject:** FW: Estoppel and Consent Request - Chambers Island [GK-Active.FID3079720]  
**Attachments:** Estoppel and Consent - Town of Gibraltar.DOCX

*Theresa Cain-Bieri*

Treasurer  
Town of Gibraltar  
PO Box 850  
Fish Creek, WI 54212  
Telephone: (920) 868-1714  
Fax (920) 868-9425  
Population 1,060

---

**From:** Hamrin, Rebecca <RHamrin@gklaw.com>  
**Sent:** Tuesday, November 23, 2021 9:42 AM  
**To:** treasurer <treasurer@gibraltarwi.gov>  
**Cc:** Tammy Basten <Tbasten@gbdioc.org>  
**Subject:** Estoppel and Consent Request - Chambers Island [GK-Active.FID3079720]

Good morning,

I represent Chambers Island Marina Company, LLC, an entity which is purchasing land commonly known as 11000 E. Island Drive on Chambers Island, Door County, from Holy Name Retreat House, Inc. In connection with this purchase, we are requesting that the Town of Gibraltar sign the attached Estoppel and Consent as it relates to two leases with Holy Name Retreat House, which will be assumed by Chambers Island Marina Company. One lease is for the Town Dock and the other is for the Fire Station – both as referenced in the attached. If you can please execute the attached and return to me, we would appreciate it. Please do not hesitate to reach out with any questions at any time.

Thank you,  
Rebecca

**Rebecca K. Hamrin** | Attorney  
920.831.6344 direct  
[RHamrin@gklaw.com](mailto:RHamrin@gklaw.com)

**GODFREY & KAHN** S.C.  
100 West Lawrence Street | Appleton, Wisconsin 54911-5754

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## TOWN OF GIBRALTAR ESTOPPEL AND CONSENT

THIS TOWN OF GIBRALTAR ESTOPPEL AND CONSENT (this "Estoppel"), dated as of \_\_\_\_\_, 2021, is made by the Town of Gibraltar, Door County, Wisconsin (the "Town").

WHEREAS, the Town, as landlord, and Holy Name Retreat House, Inc. ("HNRH"), as tenant, are parties to that certain Lease (the "Town Dock Lease"), dated April 13, 1962, as amended pursuant to that certain extension of lease term dated August 1, 2006, whereby the Town leased to HNRH that certain "East Dock" located on Chambers Island, Door County, Wisconsin;

WHEREAS, HNRH, as landlord, and the Town, as tenant, are parties to that certain Lease for Chambers Island Fire Station (the "Fire Station Lease"), dated September 1, 2004, whereby HNRH leased to the Town approximately 16,009 square feet of the land on Chambers Island, Door County, Wisconsin;

WHEREAS, in connection with that certain the WB-15 Commercial Offer to Purchase (the "Purchase Agreement"), by and among HNRH and Chambers Island Marina Company, LLC ("CIMC"), HNRH desires to sell to CIMC, the real property owned by HNRH on Chambers Island, Door County, Wisconsin, which includes all of HNRH's rights, obligations and interest under the Leases; and

WHEREAS, in connection with foregoing, HNRH and CIMC request that the Town consent to the assignment of the Leases to CIMC and certify and represent the statements set forth below.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Town hereby represents and warrants to HNRH, CIMC and their respective successors and assigns as follows:

1. Each Lease is in full force and effect and is the valid and binding obligation of the Town. Each Lease has not been amended, supplemented, modified, assigned, encumbered, terminated or cancelled, except as described herein. The Town has not given HNRH any notice of termination thereunder; and HNRH has not given the Town any notice of termination thereunder.

2. To the Town's knowledge, no uncured default, event of default or breach by the Town or HNRH exists under the Town Dock Lease or the Fire Station Lease, as the case may be, and, to the Town's knowledge, no facts or circumstances exist that, with notice or the passage of time will or could constitute a default, event of default or breach by the Town or HNRH. The Town has made no claim alleging default by HNRH under either the Town Dock Lease or the Fire Station Lease.

EXHIBIT B

FORM OF ASSIGNMENT AND ASSUMPTION OF LEASE

THIS ASSIGNMENT AND ASSUMPTION OF LEASE AGREEMENT (this "Agreement"), is made and entered into the \_\_\_ day of \_\_\_\_\_, 2021, by and between Holy Name Retreat House, Inc., a Wisconsin non-stock corporation ("Assignor") and Chambers Island Marina Company, LLC, a Wisconsin limited liability company ("Assignee").

WHEREAS, Assignor, as tenant, is a party to that certain Lease (the "Town Dock Lease"), dated April 13, 1962, as amended pursuant to that certain extension of lease term dated August 1, 2006, by and between Assignor and The Town of Gibraltar (the "Town"), whereby the Town leased to Assignor that certain "East Dock" located on Chambers Island, Door County, Wisconsin;

WHEREAS, Assignor, as landlord, is a party to that certain Lease for Chambers Island Fire Station (the "Fire Station Lease"), dated September 1, 2004, by and between Assignor and the Town, whereby Assignor leased to the Town approximately 16,009 square feet of the land on Chambers Island, Door County, Wisconsin;

WHEREAS, the Town Dock Lease and the Fire Station Lease may be referred to herein collectively as the "Leases;"

WHEREAS, in relation and as a condition precedent to the consummation of the transaction, contemplated under that certain the WB-15 Commercial Offer to Purchase dated \_\_\_\_\_, 2021, as the same may be amended from time to time in accordance with its terms (the "Purchase Agreement"), by and among Assignor and Assignee, Assignor desires to assign to Assignee, all of its rights, obligations and interest under the Leases, and Assignee desires to assume the obligations and rights of Assignor under the Leases; and

WHEREAS, Assignor has obtained the Town's Consent as more fully described in the Town of Gibraltar Estoppel and Consent attached hereto as Exhibit B.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. **Assignment and Assumption.** Assignor hereby assigns all of its right, title and interest in, to and under the Leases to Assignee, and Assignee hereby accepts such assignment and assumes all of Assignor's rights and obligations as provided for under the Leases, effective simultaneously with the Closing.

2. **Ratification.** The parties understand and agree that the terms and conditions contained in the Leases shall remain in full force and effect and the terms contained within the Leases are incorporated herein by reference and are hereby ratified and confirmed.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

**ASSIGNOR**

**HOLY NAME RETREAT HOUSE, INC.**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

**ASSIGNEE**

**CHAMBERS ISLAND MARINA COMPANY,  
LLC**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

EXHIBIT B

TOWN OF GIBRALTAR ESTOPPEL AND CONSENT

See attached.

25712150.2

To: Town Board

From: Town Staff

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Request:

Direction for staff on how to proceed with the potential future drainage at sunset beach to coordinate with the wall and shoreline repairs.

Background:

The wall and surrounding area at Sunset Park are having erosion causing unstable and unsafe conditions.

The Parks and lands have identified this as an area of concern and the Town Board has allocated funds to have the park repaired in the very near future.

With the design of the downtown area and the drainage issues the thought of looking into this before the project was complete to save the town the potential of having to do the project twice or redo a section that had been completed.

Recommendation:

Staff could reach out to Cedar Engineering as well as Mr. Kahr and discuss these other variables.

Staff is just looking for direction to proceed as the Board has previously approved the project as bid by Mr. Kahr.

Fiscal Impact:

If the Town Board chose to add additional work to the project the town Budget would need to be amended, currently no funds are allotted for additional work beyond the proposal from Mr. Kahr and Deaths Door Marine and construction.



To: Town Board

From: Staff

---

Request:

Appoint 2022-2023 Election Officials

Background:

The Town Board is required to appoint election workers for a 2-year cycle beginning in 2022.

Recommendation:

Clerk Murre Recommends Appointing:

- Barb Merkel (Chief Inspector)
- Laurie Buske (Chief Inspector)
- Linda Lorenz
- Patricia Chomeau
- Zephyr Ciesar

Fiscal Impact:

Poll worker wages with potentially 4 elections in 2022

To: Town Board

From: Staff

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Request:

Reconsideration of Posting Locations

Background:

The Nicolet Bank location has a sale pending and can no longer be used as an official posting site.

The Town is required to post in 3 public places "likely to be seen by the public".

Currently we use the Post Office bulletin board, the Town Center display case, the BP Gas Station and the Town Website.

The minimum requirement is satisfied.

Recommendation:

To eliminate the Nicolet Bank posting location.

Fiscal Impact:

None

To: Town Board

From: Staff

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Request:

To administer credit cards to the Police Chief and Fire Chief.

Background:

Currently when police and fire go to training they have to pay with their own credit card or provide excessive documentation from the town office to use the clerk's credit card.

Analysis:

The Police and Fire Chief need to attend trainings and travel that is critical to their roles in the community. Administering a credit card to each individual would allow for the training and travel to occur without having to use their own personal cards and submit reimbursements.

Recommendation:

The town wishes to obtain the highest level of security and checks and balances for accounting. The following procedure is recommended for the credit cards:

- Credit cards can be used for training, travel, and special events only.
- Receipt/proof of payment required for all transactions. Invoices will be audited by town staff and contracted CPA Auditors.
- Cards cannot be passed off to another individual. Fire/Police Chief can use the card to pay for other firefighter/police training, but the chief must complete the training registration and payment. Only the designee on the card may use the card.
- Credit limit, \$2,000 per account.
- Purchase Requisition forms are required.

Fiscal Impact:

Fewer checks required to be printed by staff, credit card does earn a 1% cash back rate that is a town revenue.

To: Town Board

From: Staff

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To: Town Board

From: Staff

---

Request:

To set up reoccurring payments for regularly occurring monthly expense.

Background:

The staff would like to set up automatic payments for those expenditures that occur on a monthly basis.

Analysis:

Regularly occurring expenses often do not line up with meeting dates so checks have to be cut throughout the month to meet due dates. Setting up the payments either via ach or credit card would eliminate the extra check writing. Such examples of expenses are cell phone providers, copier lease, copier maintenance, monthly email charges, BP fleet account for fuel, Spectrum, Going Garbage, etc.

Recommendation:

To allow staff to set up monthly reoccurring payments to accounts deemed necessary.

Fiscal Impact:

It currently costs the town about 95 cents/ bill to send out the check, envelope and stamp. If the town can reduce this expense and even increase revenue by taking advantage of credit card cash back rates it can be a revenue source to the town instead of an expenditure.

To: Town Board

From: Staff

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Request:

Staff would like to organize and align employees with their vacation and anniversary renewals

Background:

Currently town staff must keep records on four different styles of governing employee vacations, personal days, and sick days. Staff must currently align all based on their anniversaries of hire.

This is a task that required a lot of back research and additional staff time.

Currently ½ of the employees are operating on the PTO process and the other ½ are based on the split groupings of vacation sick and personal.

The end of the year is seeing a lot of vacations and short staffing because of trying to complete vacations before the end of the year.

Recommendation:

Staff would like to align all employees to PTO this would incorporate all into one format and would be on an accrued basis (Monthly) until they reach the maximum that they can accrue.

This will benefit staff as the treasurer stated the accrued amount will be listed on employee's statements, this will promote more evenly distributed vacations and sick leaves throughout the year. And offer an easy way to monitor and track each employee.

Staff would align each employee to the first of the year to allow better tracking and standardization.

Employees whose anniversary's do not fall on the first of the year would be prorated and not receive any more benefits as they already receive.

This eliminates the use it or lose it and caps it when an employee reaches their threshold of PTO.

Fiscal Impact:

There is no fiscal impact to this request.

There will be benefit in staff time reduction and reductions in staff shortages at the end of the year under the current process.

To: Town Board

From: Staff

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Request:

Approve the Addendum to the Short-Term Rental Ordinance and have a line item added to the STR business licenses that references the addendum.

(All STR license holders will be required to show proof that refuse generated on their property will be managed by a licensed collection agency or proof from any cleaning agency, that this is part of their service).

Analysis:

Several people have contacted the town in the past few months regarding refuse being placed in private waste containers.

It is believed that people who rent short term housing are required to remove their trash when they are completed with their stay. Owners who do not provide their renters with waste facilities or a location to place them, forces renters to use other private facilities or bring it home.

Staff interviewed several businesses in the downtown area and found this to be a large problem. Several businesses referenced instances where people were unloading multiple bags into their personal refuse containers and filling them up. Some have indicated they returned over the weekend and garbage bags were laying around filled containers.

Background:

The intent of this addendum is to be sure if a person is issued a STR license that they will have proof of refuse collection.

The STR license holder can provide a contract agreement with an agency or a confirmation letter from any cleaning agency they have hired to remove the refuse.

Recommendation:

Town recommends approving this addendum to the STR ordinance and License

Fiscal Impact:

There is no fiscal impact to the town for this request.

## TOWN OF GIBRALTAR

### ORDINANCE 2021-07

#### OPERATING A SHORT-TERM RENTAL

---

The Town Board of Gibraltar, in the County of Door, State of Wisconsin, does hereby ordain as follows:

##### **Purpose**

The purpose of this ordinance is to protect the quality of life, the character, and stability of neighborhoods, and to create an understanding with property owners who seek to use their properties as short-term rentals ["STR" or" STRs"]

Because of fractured bedrock and Karst topography that encompasses most of Door County, STRs that are rented "over capacity" for their private onsite wastewater treatment system ("POWTS") risk contamination of and thereby, the health and quality of the potable water supply.

##### **State Statutes Adopted – Authority**

The Board of Supervisors of the Town of Gibraltar is granted authority for adopting this ordinance under 60.10(2)(c) and 60.22(3), Wisconsin Statutes. The Town Board Adopts this Ordinance under its general Village powers authority and 66.1014 of the Wisconsin Statutes, 2017 Act 59.

##### **Definitions**

1. "STR ("Short Term Rental")" means a Residential Dwelling that is offered for rent for a fee and for fewer than 29 consecutive days.
2. "Residential Dwelling" means any building, structure or part of the building or structure, that is used or intended to be used as a home, residence, or sleeping place by one or more persons maintaining a common household, to the exclusion of all others.
3. "Property Owner's Agent ("Agent")" means a person or an entity who is not the Property Owner of record and who is authorized to act as the Agent of the Property Owner for the receipt of service of notice and remedy of municipal ordinance violations and for service of process pursuant to this ordinance.
4. "Property Owner ("Owner")" means the person or entity who owns the Residential Dwelling that is being rented.
5. "Resident Agent" see "Property Owner's Agent."
6. "POWTS" means Private Onsite Wastewater Treatment System.
7. "Office of Short-Term Rentals ("OSTR")" means the agent or any agency that may be employed by the Town to administer the regulation of STRs, including but not limited to permitting, collection of fees, and the reporting of instances of non-compliance for enforcement purposes.
8. "DCTZC" means the Door County Tourism Zone Commission.
9. "DATCP" means the Wisconsin Department of Agriculture Trade and Consumer Protection.

## **Short -Term Rental License**

No person shall maintain, manage, or operate an STR more than fifteen (15) nights each year without an STR Business license issued by the town of Gibraltar pursuant to this Ordinance

Licenses shall be issued using the following procedures:

1. All applicants for an STR business license shall be filed with the Town Clerk, or the designee of the Town Clerk, on forms provided. Applications shall be filed by the property owner or authorized agent. No license shall be issued unless the completed application form is accompanied by the payment of the required application fee.
2. All applications for an STR business license shall include a copy of any inspection reports as required by Wisconsin Department of Agriculture Trade and Consumer Protection "DATCP".
3. The Town Clerk shall issue an STR business license to all applicants following payment of the required fee, receipt of fully completed documentation and information requested by the application, and application approval by the Town of Gibraltar Town Board.
4. An STR business license shall be effective for one year. The annual licensing term begins January 1<sup>st</sup> and ends December 31<sup>st</sup> the same year.
5. A fully completed renewal application and renewal fee shall be filed with the Town Clerk by November 1<sup>st</sup> so that the Town Board has adequate time to consider the application. The renewal application shall include any updated information since the filing of the original application.
6. Any changes in the ownership of the property require a new application per Wisconsin Administrative Code 72.04(b) prior to obtaining a license from the Town.

An Owner may apply for a new license no less than 12 months after being revoked. (See "Revocation" and "Revocation Process" sections below.)

## **Application and Permit Process**

The town, or in collaboration with its agent OSTR shall provide an online manner of applying for and renewing a permit.

- A. The application shall include the following:
  - Address and tax key of the residential dwelling.
  - Names and addresses of the applicant, Owner of the dwelling, and promoter or sponsor.
  - Copy of the current DATCP rooming house license or confirmation of DATCP application
  - Copy of DCTZC permit.
  - Name, address and phone number of the Owner or designated operator for the property where such a distinction might occur.
  - Proposed MAXIMUM occupancy for the dwelling.
  - Proof of design capacity of POWTS to accommodate subsection 6 under definitions.
  - Copy of Town Good Neighbor standards (consider DCTZC & other hosts Good Neighbor Standards) permit process
  - Proof of casualty and liability insurance issued by an insurance company authorized to do business in the state of Wisconsin, identifying the property as used for rental, short-term or otherwise.



- Proof of licensed refuse collection services or a written agreement with a cleaning agency that provides this service

### **Operation of a Short-Term Rental**

Each Short-term rental shall comply with the following requirements:

- The property owner or resident agent shall be accessible either directly or through the OSTR
- No recreational vehicle, camper or other temporary lodging arrangement shall be permitted on site as a means of providing additional accommodations for paying guests or other invitees.
- If the property is not served by a public sanitary sewer, a private onsite wastewater treatment system "POWTS" in full compliance with this ordinance and in accordance with Chapter 21 of the Door County Code shall serve the property.
- If the property is served by a POWTS, occupancy shall be limited to the number of occupants for which the POWTS was designed.
- Sufficient off-street parking shall be available to accommodate all vehicles on the Short-term Rental premises. Off street parking shall be in compliance with Door County Comprehensive Zoning Ordinance, Chapter 7, and all parking regulations under Town of Gibraltar Parking Ordinances.
- Signage shall conform to applicable Town of Gibraltar and Door County Ordinances.
- Rental dwellings shall be able to reasonably accommodate reliable telephone communication in case of emergency, this includes a key holder or contact that can respond to the property within (45) minutes of an emergency call.
- Outdoor events including but not limited to, weddings, graduations, reunions and the like are limited to ten (10) in a calendar year per Door County Zoning 2.07(1)(a).

### **Property Rules**

A copy of the State of Wisconsin tourist rooming house license and the Town of Gibraltar STR business license shall be posted on the property. Property rules shall be made available to the renters and shall include at a minimum the following information:

- Maximum occupancy for the property.
- Contact information for the key holder or designated operator
- Parking locations
- Quiet hours of 10:00P.M. to 7:00 A.M.
- Outdoor burning regulations and contact information for the Town of Gibraltar fire department.
- Non-emergency contact information for law enforcement
- A set of instructions on dealing with POWTS if applicable (location of high-water alarms, etc.).
- How, where, and when waste and recyclables are disposed of properly.
- Control and oversight of any pets

### **Revocation/Suspension**

A license, as issued, is subject to revocation or suspension if the Owner of the property fails to comply with the requirements of this Ordinance under the Town of Gibraltar STR business license policy as set forth in the enforcement section.

The Town Board has the authority to suspend, revoke, reject or non-renew an STR business license or license application if the Board determines that the licensee:

- Has failed to adhere to Town of Gibraltar and/or Door County Ordinances
- Has outstanding fees, taxes, or forfeitures owed to the Town of Gibraltar.
- Has been convicted of or whose Agent or renters have been convicted of engaging in illegal activity while on the STR premises.

**Revocation/Suspension Process**

The Town of Gibraltar at its discretion, shall:

Review all complaints, notifications, forfeitures and non-compliance issues through its established licensing committee. The committee will notify the Owners in writing any decisions made by the licensing committee.

Notify the Owner of the property of any noncompliance.

Determines whether the Owner of the STR property has remedied the violation and shall schedule a license revocation/suspension hearing in front of the Town of Gibraltar Board if the violations are not remedied in a timely manner.

Notify the Owner and attempt to notify all property owners located within 300 feet of the property of the hearing date at least two weeks prior to the hearing before the Town of Gibraltar Board.

Hear written or verbal testimony from other affected parties at the time of the hearing before the Town of Gibraltar Board.

Provide a decision made by the Town Board of Gibraltar in writing to the Owner.

**Fees**

Permit fee schedule. The license application fees established by the Town of Gibraltar Board of Supervisors shall correlate with the administrative and related costs involved with compliance monitoring. A schedule of the fees shall be made available for review.

- Initial STR business application fee.....\$45
- Renewal STR application fee.....\$45
- Late fee.....\$25
- Inspections (If necessary) .....\$100

**Enforcement**

The Town of Gibraltar police department, or a designated outside provider, shall be the established enforcement structure for issuance of any warnings, notifications or forfeitures.

The Town of Gibraltar has an established licensing committee that reviews complaints, notifications and forfeitures that have been issued against an STR Owner. The licensing committee is granted authority to review and notify the STR Owner of any decision the committee will make against an Owner of an STR. The licensing committee will make recommendations to the Town Board whether a suspension or

revocation hearing is necessary. The Town of Gibraltar licensing committee will provide testimony if any hearings are scheduled.

The goal is to incentivize compliance with the appropriate fees and fines, but not be so overburdensome that it prevents users from participating in the enforcement and regulatory process.

The enforcement structure includes but is not limited to the positing of and adhering to the “good neighbor” policy. Also, the enforcement structure includes but is not limited to the Town of Gibraltar STR compliance policy which prohibits an Owner from using the property as an STR if the Owner is out of compliance in an annual permitting cycle.

**Severability**

If any portion of this Ordinance be declared invalid or unconstitutional by a court of competent jurisdiction, such a decision shall not affect the validity of any other provisions of this ordinance.

Adopted by the Town Board of the Town of Gibraltar this 1<sup>st</sup> day of September, 2021.

Approved:

Steve Sohns, Town Chairman

Kelly Murre, Town Clerk



Town of Gibraltar  
4097 Main Street  
Fish Creek, WI 54212  
(920) 868-1714  
[clerk@townofgibraltar.us](mailto:clerk@townofgibraltar.us)

# Town of Gibraltar Business License

## BUSINESS INFORMATION

BUSINESS NAME: \_\_\_\_\_

DESCRIPTION OF BUSINESS: \_\_\_\_\_  
\_\_\_\_\_

BUSINESS PHYSICAL ADDRESS: \_\_\_\_\_ CITY/ST/ZIP: \_\_\_\_\_

BUSINESS MAILING ADDRESS: \_\_\_\_\_ CITY/ST/ZIP: \_\_\_\_\_

BUSINESS PHONE: \_\_\_\_\_ BUSINESS EMAIL: \_\_\_\_\_

EMERGENCY CONTACT (WITHIN 45 MINUTES): \_\_\_\_\_ EMERGENCY PHONE: \_\_\_\_\_

EMERGENCY CONTACT ADDRESS: \_\_\_\_\_

IS YOUR BUSINESS SEASONAL? \_\_\_\_\_ IF SEASONAL: OPEN DATE: \_\_\_\_\_ CLOSING DATE: \_\_\_\_\_

## BUSINESS OWNER

BUSINESS OWNER NAME: \_\_\_\_\_

OWNER'S ADDRESS: \_\_\_\_\_ CITY/ST/ZIP: \_\_\_\_\_

## BUILDING OWNER

BUILDING OWNER'S NAME: \_\_\_\_\_

BUILDING OWNER'S ADDRESS: \_\_\_\_\_ CITY/ST/ZIP: \_\_\_\_\_

BUILDING OWNER'S PHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_

1) IS THIS BUSINESS OPERATED OUT OF YOUR HOME? YES: \_\_\_\_\_ NO: \_\_\_\_\_ (MLM COMPANIES ARE EXCLUDED)

IF YES, PLEASE ANSWER THE FOLLOWING QUESTIONS:

2) DOES THE GENERAL PUBLIC COME TO YOUR HOME FOR YOUR BUSINESS? YES: \_\_\_\_\_ NO: \_\_\_\_\_



Town of Gibraltar  
4097 Main Street  
Fish Creek, WI 54212  
(920) 868-1714  
[clerk@townofgibraltar.us](mailto:clerk@townofgibraltar.us)

# Town of Gibraltar Business License

3) DO YOU HAVE ANY OUTSIDE EMPLOYEES? YES: \_\_\_\_\_ NO: \_\_\_\_\_

4) IS THIS BUSINESS A SHORT-TERM RENTAL? YES: \_\_\_\_\_ NO: \_\_\_\_\_

IF YES TO QUESTION 4, PROOF OF THE FOLLOWING ARE REQUIRED TO BE ON FILE WITH THE TOWN OFFICE:

(PLEASE REFERENCE TOWN OF GIBRALTAR ORDINANCE 2021-07:OPERATING A SHORT TERM RENTAL)

\_\_\_ TOURISM ROOMING HOUSE LICENSE PERMIT FROM THE STATE OF WI DEPARTMENT OF AGRICULTURE, TRADE & CONSUMER PROTECTION UNDER ATCP 72.04

\_\_\_ COMPLETE STATE LODGING ESTABLISHMENT INSPECTION DATED WITHIN 60 DAYS OF THE DATE OF ISSUANCE OR RENEWAL

\_\_\_ PROOF OF CASUALTY AND LIABILITY INSURANCE ISSUED BY AN INSURANCE COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE OF WISCONSIN, WITH LIABILITY LIMITS OF NOT LESS THAN \$300,000 PER INDIVIDUAL AND \$1,000,000 AGGREGATE.

\_\_\_ FLOOR PLAN OF THE PROPOSED PROPERTY FOR RENTAL WITH REQUESTED MAXIMUM OCCUPANCE

\_\_\_ SITE PLAN INCLUDING AVAILABLE ONSITE PARKING

\_\_\_ ANNUAL GENERAL BUILDING AND FIRE INSPECTION

\_\_\_ ROOM TAX PERMIT

\_\_\_ **PROOF OF GARBAGE DISPOSAL SERVICE**

I, \_\_\_\_\_ (property owner or authorized agent) certify that the above property meets the requirements of the Town of Gibraltar.

\_\_\_\_\_  
Signature of Property Owner OR Authorized Agent

**FOR OFFICE USE ONLY:**

DATE RECEIVED: \_\_\_\_\_ VALID \_\_\_\_\_, 20\_\_ TO \_\_\_\_\_, 20\_\_

FEE: \_\_\_\_\_ ORIGINAL APPLICATION: \_\_\_\_\_ RENEWAL: \_\_\_\_\_ INFORMATION CHANGE: \_\_\_\_\_

SEASONAL BUSINESS: \_\_\_\_\_ OPEN DATE: \_\_\_\_\_ CLOSING DATE: \_\_\_\_\_

To: Town Board

From: Staff

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Request:

To increase town fees to be in line with other local municipalities.

Background:

Staff doesn't wish for the town to be the highest or the lowest on fees but to charge a fair fee.

Analysis:

Certain fees in the town are on the low end, staff wishes to align fees closer to other fees in the area.

Recommendation: To take effect January 1, 2022

- Increase Operator License to \$20/year, currently \$15. Other municipalities range from \$10-\$20.
- Increase Parking Violations to \$40, currently \$25. Violation charges vary widely.
- Increase Blossenberg Cemetery to \$600 for resident, currently \$300. Increase Blossenberg Cemetery to \$1200 non-resident (family member), currently \$600. Increase burial to \$500, currently \$400. Community rates range from \$600-\$1500 for sites and burials range from \$500-\$850.
- Increase Blossenberg Cremation for resident to \$150, currently \$75. Increase non-resident (family member) cremation site to \$300, currently \$150. Cremation burials at current rate of \$150.00. Community rates range from \$300-\$500 for cremation sites.

Fiscal Impact:

Increased revenue from the fees would offset town expenditures.

To: Town Board

From: Staff

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