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**TOWN OF GIBRALTAR
REGULAR MONTHLY MEETING
W/ CLOSED SESSION
WEDNESDAY, SEPTEMBER 6, 2023
GIBRALTAR TOWN CENTER
4097 HIGHWAY 42, FISH CREEK WI 54212
7:00 PM**

Approved: 10/4/2023

Call to order: Steve Sohns called the regular meeting to order at 7:02 p.m.

Pledge of Allegiance

Roll call/quorum:

Board members present: Steve Sohns, Jayson Merkel, Tom Birmingham, Vinni Chomeau, and John Selenica

Board member(s) absent: None

Adopt agenda: *Motion: (Merkel, Chomeau) to approve the agenda as presented. Carried.*

Approve minutes of previous meeting(s): *Motion: (Birmingham, Chomeau) to approve the minutes of the August 2, 2023, regular meeting, as written. Carried.*

Committee/Commission Reports:

Parks & Lands: Buske reported 4 new benches are going in at Noble Square, purchased by donations. Also received a DDC grant for park improvements, 2 panels for the playground were purchased, a water fountain for humans and dogs in Clark Park, new picnic tables, and a bike rack for the parking lot. Next to work on the budget.

Fire Department/EMR: Chief Bertges provided a written report: August Call Volume 45, total calls (up 50% (15) from 30 in 2022).

Significant events:

Rowleys Bay Inn Fire on Tuesday

Projects:

Chambers Island CERT- completed their weekend trainings.

SCBA Air Compressor installed, waiting on subs.

Community Emergency Response Team and Search and Rescue program to start up this fall and winter.

Training: Extrication Training

Plan review training

Open house Saturday Oct. 28.

Also mentioned the IST Team responded amazingly to the Rowley's Bay Fire, they fed and watered everyone, and they are solely volunteers.

Law Enforcement: Chief Roesch reported. Worked on DOJ audit, it is very technical and involves computer security.

VFC: Lancaster reported that the Concert in the Park series wrapped up. Jessica Murphy was hired and will be doing more boots on the ground promotion and marketing events. Membership forms are going out for 2024. Special event on the agenda.

Noble House: Buske said tours are steady. On Oct 3 at 7pm at the Old Town Hall there will be a discussion on the Sinking of the Hackley, it was the largest historic event on the Bay of Green Bay.

Airport: Drajesk reported a busy summer, through the middle of August we sold 8,000 gallons of fuel. We ordered more and we are now in the upper range of cost per gallon. Met with the

1 BOA and Engineering Firm for the expansion property, all 6 additional Hangar sites are
2 committed. Construction will probably next April-June, working around some bat species
3 issues. Read a letter of appreciation from a guest to the Friends.
4 **Watershed:** No report
5 **Planning Commission:** No report
6 **Harbor Commission:** Harris reported that the dock has slowed down a bit, all the transients are
7 full this weekend. Working on some signage in the launch areas, there has been a delay with the
8 signs. E-bikes and skateboards racing down the dock have been an issue, put a foot traffic only
9 sign up now. Most of the staff is back to school. Harbor Commission did meet and will be
10 looking at setting up our docks for the future and budgeting.
11 **Door County Tourism Zone:** Weddig reported the June down about 1% in the County, about
12 3% behind, Gib is down 5.4% through June. Most municipalities are down, except Sister Bay.
13 But with rates up, that offsets the decrease. Ephraim questioned whether the Community
14 Investment Fund and grant opportunities through room tax, that is still being resolved, but
15 encourage the town to continue applying for grants. Gibraltar took in about 13% of total room
16 tax in 2022, that comes out to about \$220k.
17 **Building Committee:** Stubenvoll said Monday will have the final inspection of the Noble house
18 and annex and compile the findings.
19 **Coastal Byways:** No report. Need a rep for the future.
20 **Broadband Ad-Hoc Committee:** Discussed as an agenda item.
21 **Clerk:** Sohns said that Clerk Murre resigned and thanked her for her years of service, clerk for 2
22 and deputy for 10.
23 **Treasurer:** No report
24 **Administrator:** Thyssen getting ready for bids for Hill St and Bluff Ln. Colleen has been
25 working on the newsletter, should go out soon. Going through initial applications for the clerk
26 and will narrow it down for the board. Next up is the budget.
27 **Chairman:** Sohns said we did receive an acknowledgement of a grant for the Redman project
28 for about \$250k, so we are getting there. We are over halfway. A workshop will be scheduled
29 with commissions and board to discuss the waterfront property.
30 **Public Comment:** Bill Wolff thanked PD for an increased presence on Maple Grove East.
31 Also brought up a concern about a neighbor burning during a burn order.
32
33 **Special Event Request: Top of the Hill Shops Inside/Outside Sales:** *Motion: (Merkel,*
34 *Selenica) to approve the special event request Top of the Hill Shops. Carried. Chomeau asked if*
35 *we could look into staff approving the special events in the future.*
36
37 **Special Event Request: Fall 50:** *Motion: (Birmingham, Chomeau) to approve the special event*
38 *request for the Fall 50. Carried.*
39
40 **Special Event Request: Another Century, Century Ride:** *Motion: (Selenica, Chomeau)*
41 *approve special event request for Another Century. Carried*
42
43 **Special Event Request: VFC Haunted Trail (Jack O' Lantern Days):** *Motion: (Birmingham,*
44 *Chomeau) approve special event request VFC. Carried.*
45
46 **Snowmobile Trail Permission for Town Properties, including Gibraltar Rd:** Gary
47 Bogenschutz said the trail comes out from Peninsula Park and ends behind the parking lot,
48 Gibraltar Rd through the old shop site, and then along Gibraltar Rd from Sugar Bush to A. In the

1 past the properties have been allowed for several years and Gibraltar Rd has been approved
2 annually. Kathy Diltz talked about concern of snowmobiles coming down Gibraltar Woods
3 private road. *Motion:(Merkel, Chomeau) to snowmobile trail use on town property and*
4 *Gibraltar Rd for five years. Carried.*

5
6 **Appoint Airport Commission Member:** Letter of interest submitted by Myrv Somerhalder, he
7 said he enjoyed being on the commission and is really progressing while following the BOA,
8 FAA, and County standards and regulations. *Myrv Somerhalder nominated by Sohns to Airport*
9 *Commission. Motion: (Merkel, Birmingham) to appoint Somerhalter to the Airport Commission.*
10 *Carried.*

11
12 **Appoint Fish Creek Sanitary District#1 Commission members:** *Sohns nominated Tony*
13 *Bryzek. Motion: (Birmingham, Chomeau) to appoint Bryzek to complete Johnson's term until*
14 *2027. Carried. Sohns nominated Greg Stillmann for another term. Motion: (Merkel, Chomeau)*
15 *to appoint Stillmann, term until 2029. Carried.*

16
17 **Appoint Town Clerk:** *Motion: (Merkel, Birmingham) to appoint Travis Thyssen as the Town*
18 *Clerk. Carried. Oath of Office given by Sohns.*

19
20 **Adopt Other State Statutes Ordinance:** *Motion: (Birmingham, Merkel) to amend ordinance*
21 *2022-27 to include subsection B. Carried.*

22
23 **Ordinance 2023-05 Harbor Ordinance, revoking Ordinance 1988-04:** Thyssen said the
24 Harbor Commission found they needed a little clarification and modifications needed for the
25 ordinance. This will replace the existing ordinance. Harris said we are operating at full capacity,
26 and having any more commercial operations would create an issue in the future and can always
27 be amended. *Motion: (Merkel, Selenica) adopt ordinance Harbor Ordinance 2023-05 and*
28 *revoke Ordinance 1988-04. Carried.*

29
30 **Town Prosecutor Appointment:** Town Prosecutor Nina Martel has given the town notice that
31 she is taking a new position. Atty Martel recommends Atty Matthew Pribyl for the position.
32 *Motion: (Birmingham, Merkel) to appoint Atty Pribyl as the Town's prosecuting attorney.*
33 *Carried.*

34
35 **Update Road Improvement Plan:** Staff updated the Road Improvement Plan based on 2023
36 completed projects and road review findings. Thyssen said it is a fluid document and changes
37 can occur. This document is needed for grants. *Motion: (Chomeau, Birmingham) to approve the*
38 *Capital Road Improvement Plan. Carried.*

39
40 **Resolution 2023-05 Local Government Investment Pool:** *Motion: (Merkel, Selenica) to adopt*
41 *the resolution for the Investment Pool and name Cain-Bieri and Thyssen as designated local*
42 *officials. Carried.*

43
44 **Commissioners of Public Lands TID #1 Loan Considerations/Application and Resolution:**
45 *Motion: (Birmingham, Chomeau) to approve the loan of \$4.2 million at 5.75% for 20 years for*
46 *TID #1 infrastructure and ancillary costs. Carried. The Form of Record and Resolution were*
47 *read by Cain-Bieri, signed by all Supervisors, and attested by Thyssen.*

1 **2023-2024 Town Propane Contact: Motion:** (Chomeau, Selenica) to contract with Gasco for
2 the 2023-2024 season at \$1.44/gal. Carried.

3
4 **Broadband update, consideration of Special Meeting of the electors:** Thyssen said over the
5 meetings five public informational meetings that were held were well attended (about 150 total)
6 and a tax implication was delivered to the public at the meeting. With the laws of averages staff
7 believes the public would support the broadband partnership. Chair of the Broadband
8 committee, Bill Wessels, gave a report on how well the information meetings went and the
9 overwhelming support from the public at the meetings. Wessels said the county support has
10 been great and the time is now to get broadband to the rural areas. 90% of Gibraltar is either
11 unserved or underserved. Over 90% of electors surveyed in spring were in favor. We hope to get
12 20-30% of the town's portion by grants and hope to maximize that potential with the partnership
13 with Bertram. There is a clear consensus and there is momentum to keep moving. Neighboring
14 communities are already signing up with Bertram. If we commit tonight, we are not further down
15 tonight and once we have the commitment we can start writing the grants with letters of
16 community support. Jim Bertram and Sarah Lawrence were present at the meeting and can
17 answer any questions after the meetings. Sohns said we have the ability to move forward, but
18 the electors will have to approve the bond if we go out to bond. Bill Wolff asked about timing
19 on waiting and thanking the committee for their work. Bertram said the timeline is dependent on
20 weather, but 12-18 months is the timeline. Kathy Diltz said the feedback was overwhelming
21 support to move forward with support. Bill Wedding was concerned about engineering and
22 actual cost estimates. Bertram presented a \$6.9 million not to exceed price, any overages will be
23 covered by Bertram. John Woerbel said he is frustrated with the board because we have heard
24 from the committee and the staff, wastes time to go to the electors.

25
26 **Resolution 2023-06 Supporting Broadband Expansion Projects and Grant Applications**
27 **and Broadband Letter of Intent for Commitment of Funds: Motion:** (Merkel, Selenica) to
28 approve the Resolution 2023-06 and sign the Broadband Letter of Intent for Commitment of
29 Funds to partner with Bertram Communications not to exceed \$5 million. Carried.

30
31 **Consideration of Lease Agreement for Hangar A-1 with Ephraim Flyers: Motion:**
32 (Birmingham, Merkel) to approve the updated hangar lease. Carried.

33
34 **Consideration of Lease Agreement for Hangar A-5 with Peter Newkirk: Motion:** (Merkel,
35 Chomeau) to approve the updated hangar lease. Carried.

36
37 **Consideration of Lease Agreement for Hangar C-6 with Eric Webster: Motion:**
38 (Birmingham, Chomeau) to approve the updated hangar lease. Carried.

39
40 **Consideration of Airport Hangar Subleasing and Authority:** Jeff Drajesk reported that the
41 commission found there is demand for subleasing and the commission would like to manage it
42 and not for someone to operate a subleasing business. *Motion:* (Selenica, Merkel) to grant the
43 Airport Commission sublease authority and management. Carried.

44
45 **Consideration of Speed Limit on Peninsula Players Road, Amend Ordinance 2022-30**
46 **Speed Limits:** Chief Roesch constructed a speed study. The average speed was around 35 mph.
47 Chief Roesch likes to accommodate the residents that live there and doesn't have an issue
48 lowering the speed limit. *Motion:* (Birmingham, Chomeau) to adjust the speed limit on

1 *Peninsula Players Road, from Hwy 42 to Gibraltar Bluff to 35 mph and adjust the speed limit*
2 *from Gibraltar Bluff to termini to 25mph and amend Ordinance 2022-30 accordingly. Carried.*
3

4
5 **Approve Payment of Bills:** *Motion: (Birmingham, Chomeau) to approve the payment of the*
6 *bills. Carried*
7

8 **Adjourn to closed session according to Wisconsin State Statutes 19.85(1)(e)(c):** *Motion:*
9 *(Sohns, Chomeau) to adjourn to closed session at 9:03 PM, by roll call vote: Sohns – aye,*
10 *Merkel – aye, Chomeau – aye, Birmingham – aye, and Selenica – aye. Carried*
11

12 ***Deliberating or negotiating the purchase of public properties, the investing of public funds, or***
13 ***conducting other specified business, whenever competitive or bargaining reasons require a***
14 ***closed session: Review Offer to Purchase***
15

16 ***Considering employment, promotion, compensation or performance evaluation data of any***
17 ***public employee over which the governmental body has jurisdiction or exercises responsibility:***
18 ***Town Clerk***
19

20 **Reconvene to open session pursuant to State Statute 19.85(2) to take any action(s) or adopt**
21 **resolution on issues discussed in closed session:** *Motion: (Birmimgham, Sohns) to reconvene to*
22 *open session at 9:25PM. Carried.*
23

24 **Approve action(s) taken in closed session:** *No action at this time.*
25

26 **Adjourn:** *Motion: (Chomeau, Merkel) to adjourn at 9:26 p.m. Carried*
27

28 Respectfully submitted,
29 Theresa Cain-Bieri, Treasurer/Deputy Clerk