

Town Board Meeting November 9, 2009

James Parent called the regular monthly Town Board meeting to order at 7:00PM in the meeting room at the Town Hall. Present were James Parent, Robert Schultz, Barbara Anschutz, Dale Williams, Peter Jacobs, Douglas Smith, Lois Pluff and 7 visitors.

Clerk verified posting. Motion made/second Peter/Barb to accept the agenda. Carried.

Accept minutes – Dale asked about the gravel on Mill Road. We have not seen a bill yet. Motion made/second Dale/Bob to accept the minutes. Carried.

Accept Treasurer Report – There are some budget changes, which Lois explained. A copy of the changes is available in the 2009 Minute Book. Motion made/second Dale/Peter to make the budget changes presented by the Treasurer. Carried. Dale asked about the sewer replacement fund. Part of it is at the LGIP and the remainder is in CDs. There's approximately \$455,000 in the fund. Jim asked when we would know what we're looking at from a year end standpoint. In December, if the Clerk would get any large bills in, he would let the Treasurer know. We won't know of any little overages until January. Motion made/second Peter/Barb to accept the Treasurer's report. Carried.

Citizen input – None.

Discuss/decide Petition for Grant of Variance for Ray & Mary Spangler, 8006 Hwy 57, Parcel #002-22-0106 – Jim Parent will abstain from discussion and decision. Mr. Spangler presented his case. They were told they could do almost anything with the property, so they didn't think anything about zoning changes when they started renting out four units. It's divided up into smoking and non-smoking. There is a portion of the house that is not 20 feet from the gas station. It's about 11.5 feet. Everything about the house is compatible with the state and that's what they concentrated on, not thinking about local zoning. He doesn't feel it would be setting precedence by approving the variance. He just wants to be compatible. Peter asked what department of the State Mr. Spangler was referring to. He was referring to the Department of Health. Each year they are licensed by them, for four units. It's only really been a four unit rental a couple of times per year. Units 1 & 3 are always rented together. Dale feels it doesn't really matter how the units are rented, since it's advertised as four units. According to the meeting at the Plan Commission, it was no hardship, so Dale can't go along with it. Mr. Spangler explained there is hardship, because a bathroom was installed in #4 and they are planning on enclosing a porch for #4.

The property is in Multi-Use Commercial. In 1995, the former owners converted it to a duplex. In October, Mr. & Mrs. Spangler received a letter from the County stating they need a variance because of the setback from the gas station. They will also need a Conditional Use Permit, provided the variance is granted. Planning Commission voted to not recommend approval. Barb doesn't see any unnecessary hardship and would have to agree with the Planning Commission. Motion made/second Barb/Dale to recommend to

the Board of Adjustment to not grant the variance for the Spangler. Carried, with Jim Parent abstaining.

Michael Walker – Update on sales vs. assessments – Mike handed out a snapshot of sales in September and October. There were 11 sales. Mike read through the list. One piece of shore property that was advertised for sale for \$1.4 million was assessed at \$1,064,500 and it sold for \$860,000. Mike did a little investigating on that and the listing broker told him that the property sale was negotiated out of site of his real estate commission. He did not get a commission. Some vacant property near Meadow and Townline Roads sold for double the assessed value to the Nature Conservancy. It's behind David Bergwin's property. It's a lot of swampy land and standing water. Mike doesn't understand why the price was so high. The overall ratio is about 112%. This typically represents the softness of the market. Mike feels there is a bit of shrinkage in the market, especially for inland properties. Jim asked if Mike would raise the neighboring properties based on the large amount of the Nature Conservancy sale. Mike stated only if there a number of sales showing a consistent pattern. The Kangaroo Lake revaluation is not a typical situation. The information Mike is presenting tonight is more typical. The current market is something that should be watched. Mike also explained that there is currently a push at the state level to keep all assessments at 100% no matter what.

Discuss/decide purchase and placement of “dark sky” street lights – There was some money set aside in the budget to get started on this. There are 20 street lights from Summit Road to County Q. They would cost about \$200 per light, so for \$4,000 we could do the entire downtown area. There was some discussion about possibly doing only a small portion. Francha Barnard explained that Ephraim has the lights in question. Peter said Egg Harbor installed them on Church Street. They will be replacing the current ones automatically as the years progress. Bob Bultman spoke and encouraged the Town to move in the direction of Dark Sky lighting, not only with street lights, but with the first station lights and Town Hall lights. Dale doesn't have an objection to it, but he's been in places where they have all dark sky lighting and his concern is safety for pedestrians. Currently, they will replace lights with the dark sky model if the fixture is burned out, not just the bulb. We budgeted \$2,500, which would give us 12 lights. We should start at the south end of Town. Dale said as long as they're going to be installed in the future anyway, we might as well just do the full 20 in the downtown area. Motion made/second Dale/Peter to replace 20 street lights starting at County Q and ending at Summit Road with the Dark Sky compliant fixtures. Carried.

Discuss/decide possible rental of a port-a-potty to be placed at the Rec. Park for recycling days – This would be for the winter months when the restrooms at the Rec. Park are closed. This is not part of the contract, but it is an issue since the Veolia employees are out there for a few hours. It would be about 6 months. Lois suggested moving it to the Fire Station in the winter months. We didn't want to do that during the summer because of space, with all the boat trailers, plus it might do damage to the blacktop. Clerk will check into the cost of a port-a-potty before we decide and it will be on the agenda next month.

Discussion/possible decision on sharing a portion of the cost for the Catholic Church stone wall repairs – The Town Board met with the Church in June and offered to pay for some it, providing they followed the Board’s recommendations on how to fix it. Jim called the engineer and told him to start working on some plans. The next day, the Board was told buy the Church not to worry about it and that the Church would handle it, so Jim stopped the engineer from working on the plan. The Church did the job and finished it, and now they are asking for some cost sharing. Bob said the original plan was to help them do the whole wall, but we wanted the engineer to have a plan. We didn’t want to put any taxpayer money into it if it was not going to be done correctly. They did a pretty good job, but there are things that probably should’ve been done differently. The Town probably does have a bit of liability with it being right up against the Town sidewalk. The bill is about \$15,000. There are some charges on the bills for different work that was done on the Church property. Peter thinks we should talk to them and find out what and how it was done. We should have Mark Kunstman here at a meeting. Clerk will call Mark. We should also talk about the future of that wall, because eventually the rest of that wall is going to have the same thing happen to it.

Discuss/decide repairs to 2007 Chevy maintenance truck – There are some issues with the front end aligned and the tires. He got an estimate for an alignment and some new, better tires. The original tires that were on it were pretty cheap factor tires. It’s something that really needs to be done. Motion made/second Dale/Barb to do the proposed repair work to the white service truck at Weber Auto Sales, totaling approximately \$1,000. Carried.

Discuss/decide on possible payment of bill from Ed Gersek, Inc./Rock Removal Resources, LLC – The first day of the storm sewer job, the grinder hit the force main near Anclam Park. We agreed that it was not marked properly and the sewer department really didn’t know the exact depth. The fact that he hit wasn’t the issue. The issue is the fact that the grinder company charged us for 6 hours of downtime at \$700, two hours of which is because of the state, which has nothing to do with us. Jim doesn’t have a problem paying them for downtime, but it should be whatever their normal operating rate is. Dale said they charge by the foot. One thing we need to figure out is if Gersek paid the bill, or if they’re waiting on us to pay the bill. They should explain their \$700/downtime too. Motion made/second Dale/Barb to table this issue to get further information. Carried.

Accept resignation of Baileys Harbor Fire Chief – Don Prust has been chief for 12 years. Motion made/second Dale/Peter to accept Don Prust’s resignation as of January 1, 2010. Carried. Bob Bultman stated that serving under Don Prust was an honor. Dale stated Don has done a good job and the Board agreed. As for the future of the department, we will probably schedule a meeting over the next couple of weeks at most to talk about philosophies and possible replacements. We could have a meeting after the budget hearing on November 30, which is at 6:30PM.

Committee reports – Chairman – None.

Bob – Roads – Finished shouldering Bluff Road and part of Harbor Lane. They tarred the manholes and did some crack filling on Guy Street. Mill Street project is done. Pothole on F is being taken care of. Bob asked if the top soil by Mill Street is the finished product. It will probably have to be tilled up and raked in the spring.

Barb – Town Hall – We received the new plaque for the historic registration. She also received an email from the National Historic registration who wants pictures of exactly what kinds of repairs need to be done to the stairway.

Peter –Plan Commission – They talked about the corrugated metal siding portion of the Door County Zoning ordinance. They are going to talk more about it next month. The issue is the zoning districts that it's not allowed in now. Dale thinks we should sit down with the Planning Commission and get it hashed out.

Dale – Sewer – New remote meters are being installed in businesses.

Consider a motion to pay all monthly bills – Motion made/second Barb/Peter to pay all monthly bills. Carried.

Motion made/second Bob/Barb to adjourn at 8:28PM. Carried.

These minutes are subject to correction at the next regular monthly Town Board meeting.

Douglas Smith
Town Clerk