

## Town Board Meeting July 6, 2009

James Parent called the regular monthly Town Board meeting to order at 6:57PM in the meeting room at the Town Hall. Present were James Parent, Robert Schultz, Dale Williams, Peter Jacobs, Douglas Smith and 3 visitors. Lois Pluff and Barbara Anschutz were absent.

Clerk verified posting. There is an amendment, involving the Town Assessor's contract. Motion made/second Dale/Bob to accept the agenda with the amendment. Carried.

Accept minutes – Motion made/second Bob/Dale to accept the minutes from previous meetings as presented. Carried.

Accept Treasurer report – Dale asked about the transfer of funds from the baseball team to the athlete club. We're waiting on the 501c3 formation. Motion made/second Bob/Dale to accept the Treasurer report. Carried.

Citizen input – Mary Ann Johnson has a program coming up on the old Baileys Harbor lighthouse.

Discuss/decide request from Spielbauer Fireworks to hold display over Kangaroo Lake on August 15, 2009 – Patrick Spielbauer of Spielbauer Fireworks was present to present the information. The display would be on a Saturday. He would like to shoot the show from the water off of pontoons. The size of the fireworks will be 3” and smaller. Length of the display would not be over half an hour. We're probably looking at 15 to 25 minutes. Patrick would expect the show to be completed by 10:00PM. Jim's concern was that the residents would notify the neighbors. He also wanted to make sure the Fire Dept. was notified and that there was insurance. Patrick had a form that they use for municipalities that do not have fireworks permits. They will be having insurance, on which Baileys Harbor will be listed as an additional insured. The fireworks would arrive on site the day of the event, so there wouldn't be any concerns about storage. Patrick filled out the permit form with the required information and presented it to the Board. Jim requested that the Kangaroo Lake Association be made aware of this. Patrick said that wouldn't be a problem. They will also be calling the County dispatch, so they're aware if they get any calls about fireworks. The insurance is occurrence based for \$1,000,000. It also covers bodily injury. The Town could also call the KLA. Motion made/second Jim/Bob to approve the request from Spielbauer Fireworks to conduct their show on August 15, based on the information supplied on the permit request, with the following conditions: that we receive an insurance certificate a week prior to the show and that the KLA be notified (the Clerk will handle that). Carried.

Discussion/possible reconsideration of Scenic Byways program – Jim and Barb attended the meeting in Jacksonport. Almost everyone north of Sturgeon Bay is on board. Jim relayed the fears we had to the people in attendance at the meeting. He was told the program does not impose any more restrictions. The only time properties are evaluated is during the initial steps of the program. Jim asked what would happen at an RPC meeting or something similar where citizens would get up and say something couldn't be done because of the Scenic Byways program. The group explained that it wouldn't be a valid argument. After the meeting, Jim had a better feeling about it. Getting out of it could be somewhat difficult, as it requires two thirds of the municipalities involved to agree to get out of it. The group would like all of the resolutions put together by September. Those would go to the County Board and then on to the State. Motion made/second Jim/Peter to create the proper resolution to join the Scenic Byways program. Carried.

Discuss/decide Petition for Zoning Amendment from Resource Planning Committee – The County is looking to streamline things. If someone wants to build a house and the zoning wetland map says the property is zoned wetland, under current rules, you need to get it redeliniated, then it goes to the RPC, then it goes to the County before you get your permit. This change makes it possible for the County and the DNR to agree that something isn't wetland and then they could issue the permit right away. The Planning Commission is recommending approval. Motion made/second Jim/Bob to follow the Planning Commission recommendation and recommend approval to the County. Carried.

Discussion/possible decision on laptop/wi-fi users in Town Hall parking lot – Dale wanted this item put on the agenda just to have a general discussion. He doesn't have a problem with the use of it. He was thinking we could maybe do something to free up some parking spots and send people over to the fire station lot. The signal comes from the library. Unfortunately, the signal doesn't reach to the fire station. A lot of people are also plugging into the power on the pavillion. We'll stay on top of it and if it gets to be too crazy, we'll address it at that time.

Discussion/possible decision on non-property owners using recycling program – It's been brought up to Dale and Bobby. People have seen others that probably aren't even from Baileys Harbor. Jim said we've talked to the recycling people about this and they thought that the amount of non-property owner recycling is negligible. Dale said the main question that was brought to him was regarding the long lines of people and the wait time. The monitoring of something like this would be pretty complicated/expensive.

Discussion/possible decision on stone wall by Catholic Church – Jim will send them a letter asking them to sit down with the Town Board and discuss what should be done.

Discussion/possible decision on portion of Sewer Ordinance stating septic tanks must be pumped every three years – Currently, the Town has a section in the sewer ordinance stating all septic tanks shall be serviced and pumped at least once every three years. The County rule states that it has to be inspected and if the tank is more than 1/3 full, it has to be pumped. If there is less than 1/3, it doesn't have to be pumped. There tends to be conflict between the Town and the County. Jim was wondering if we should change that section of our ordinance or just get rid of it entirely. There are certain kinds of systems that shouldn't be pumped that often. This was talked about at the Sewer Committee level. They didn't want to change it, because they didn't want to lose the revenue. Don Prust was in attendance and he's in favor of pumping it every three years. Jim just doesn't like the fact that ours is in conflict with the County's. He'd like to get a little better versed on what the County does. He doesn't like the idea of having to get a system pumped if it's bad for the system. Jim will call John Teichtler's office and get some more information. Peter stated we may just need different classifications. Dale brought up that they shouldn't be pumped in late fall so they don't have any freeze up problems.

Discuss/decide new meters for commercial sewer users – Don Prust spoke and presented information on the new meters. Currently, commercial properties are metered and residential are billed a flat fee. There have been some issues with internal and external meters not matching. The new ones would have storage with a remote reader and it keeps track for two years. You can pull up reports and show the customers usage charts. The Plant employees wouldn't have go in and read the meters anymore. Since they've had problems with the meters, they've decided to go in and read the internal meters once a year for right now, as those are almost never wrong. The outside ones tend to stick, though, so there ends up being discrepancies. The business people own the meters, so the cost would be past on to them. Every ten years, they're supposed to be rebuilt or replaced. They're in the ten year span right

now, so this would be an ideal time to put the new heads on. The heads a bit more expensive, so there would be some cost to the customer. The package deal right now would be ten 3/4" meters, the remote reader, 2 days and training and the software for \$8,700. With this system, billing discrepancies would be much easier to resolve. Don feels this system would be nice, but not absolutely necessary. The Sewer Committee is recommending approval. We have to tell the company if we want it, otherwise the deal goes away. If we commit to it now, we would still get the special price but wouldn't have to pay for it until next year, so we could budget for it in October. Motion made/second Peter/Bob to proceed with the new product per Don's presentation, the funds for which will come out of next year's sewer budget. Carried.

Discuss/decide storm water runoff problems near last manhole on Chapel Lane – There were some major problems with the last big rainfall we had. One person's yard was so full of water, his lawn was floating. The water needs to be discharged to the lake somehow. Jim will call Baudhuin and have them talk to Dale about it.

Discuss/decide change order #CO-1620801-05 from Kaempfer & Associates for bar screening at the Waste Water Treatment Plant – This is the change order regarding \$322 for builder's risk insurance. Jim spoke with Baudhuin and asked them if it's really our problem that it came in \$322 more than the bid said. They suggested just paying it. Dale feels it's just not normal procedure. Don spoke with Kaempfer and they said they do it all the time. Dale feels the actual cost should have been provided the day they started working. Motion made/second Peter/Jim to accept the proposed change order of \$322 from Kaempfer & Associates. Carried.

Discuss/decide final pay request from Kaempfer & Associates for bar screening at the Waste Water Treatment Plant – Don is satisfied with everything. The punch list is complete. It's working fine. It's filling a 25 gallon garbage can in about 2 days. It was taking about a week before the fishing season hit. Motion made/second Dale/Peter to approve the final pay request. Carried.

Discuss/decide Town Assessor contract – Mike would like to continue working for another two years. Jim would love to have him back. The last extension was for one year at a 3% increase over the previous year. If he decides to retire after the second year, we're hoping he'd give us enough advance warning so we can start thinking about a replacement. Motion made/second Dale/Peter to offer Michael J. Walker a contract extension for two years with a 3% increase in 2010 and a 4% increase in 2011. Carried.

Committee reports – Chairman – Jim checked with Steve on our obligations with Gersek for finishing the Anclam Park outflow. He'd like to push it off until late summer/early fall. Steve said that would be fine and he will talk to the company to let them know. Dale asked about the mill foil treatment on Kangaroo Lake. They are only watching it for right now. They also have to wait until the water temperature is just right.

Bob – Roads – Bob has had a few people that want Chapel Lane redone. We'll have to talk soon about what other road should be fixed this year. We'll have to wait until all the bills come in from the highway project.

Dale – Sewer Report – None.

Barb – Town Hall/Cemetery/Parks – Barb was absent.

Peter – Planning Commission Report – None.

Payment of Bills – Motion made/second Jim/Peter to pay all bills except for the final pay request from Harbor Construction for the Ward St. Sanitary Sewer Extension. For the following discussion/motion, Supervisor Dale Williams left the room and abstained. Motion made/second Jim/Bob to approve the final pay request from Harbor Construction for the Ward St. Sanitary Sewer Extension. Carried, with Dale Williams abstaining.

Dale Williams returned to the room.

Motion made/second Bob/Dale to adjourn at 8:46PM. Carried.

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

Douglas Smith  
Town Clerk