

Village of Egg Harbor Regular Board Meeting Minutes

Monday, June 13, 2011 6:00 p.m.

Paul J. Bertschinger Community Center

Present: President Nancy Fisher, Barbara Cammack, Bob Dickson, Paula Cashin, Bruce Hill, Joshua Van Lieshout, and Pat Gureski.

Also Present: Peter Devlin of Door County Advocate, Joe Melendes, Tom Kispert, Village Engineer, and Gloria Hansen and Bobbie Orris.

The meeting was called to order at 6:00 pm by President Nancy Fisher.

Pledge of Allegiance to the Flag

1. Approval of the Agenda

Hill moved to approve the agenda as posted, seconded Cammack. Motion passed unanimously.

2. Approval of Minutes May 9, 2011 Village Board meeting,

Cammack moved to approve the Minutes of the May 9, 2011 meeting as amended for typographical items, seconded Cashin. Motion passed unanimously.

3. Open Session (10 Minutes) Joe Melendes referenced South Trail and stated that it is a very satisfactory project, and inquired if there is a line item in the budget to see what it cost the Village. Van Lieshout responded that it is a spin-off of the excavating of the Beach grant project except for the gravel that was purchased.

Cammack requested investigation of parking safety issues on West Shore Drive.

Fisher stated the newsletter is printed and in the mail.

Fisher mentioned the Bob Papke letter of May 31 regarding a consolidation of law enforcement presence for the County.

4. Village Officers and Commissions

a) Village President

a. Review and Approval of the Rules of Order Governing the Village Board

Fisher moved to approve the Rules of Order as revised with a revision date of June, 2011, Dickson seconded. Motion passed unanimously.

b. Citizen Patrol Group Fisher refreshed the Board on previous discussions regarding law enforcement within the Village from the establishment of a police officer, to a patrol group to provide a presence to the public. County Corporation Counsel and Door County Sheriff had been contacted by Village officials. Van Lieshout stated Sheriff Vogel spoke of training issues and liability if such a group was established. Joe Melendes stated the parameters need to be set up first and the training could come as a follow up, perhaps with some retired officers. Consensus of the board was that they are interested in learning more about it but need to consider whether there is a real need.

c. Capital Projects Fisher stated that it is time to focus our time on some in particular.

i. Marina –The Harbor Committee has explored the construction of a safety and services building. Dickson stated maybe a renovation of the existing building is more logical than a complete new build that may cost up to \$250,000. Bruce Hill stated that the community has greater need than a new marina building.

Cashin added the need for Village wide internet service to the list.

Cammack stated we need to concentrate on parking and look at how we might use some of the empty buildings.

ii. Library – Fisher noted that the Village had been in discussion in closed session with a Village business owner about their property for a new library. The Scherers, were invited to this meeting but not being in attendance, the Board is forced to conclude there is no interest on their part.

Bruce Hill stated that this Village library site has the highest use per square footage and the Village should be considering addressing this need.

iii. Peg Egan Performing Arts Center Parking Lot – The Village needs to control the development of Church Street so that the west side is commercially developed.

iv. Horseshoe Bay Road Improvements - Consensus of the board was this area will be studied more.

d. Set Date for Community Meeting Fisher asked the board to consider a date. The date of Thursday, August 4 was decided on at 6:00 p.m.

e. Review of Egg Harbor Volunteer Fire Department Standard Operating Procedure 1210
The board reviewed the proposed language and will consider the 1210 proposal at the next joint meeting.

b) Harbor Committee

a. Comments and remarks from Committee Chair - Bob Dickson and Josh Van Lieshout reported the sailing program is developing. There are five registrants to date. Mike Stapleton is being certified as an instructor and we have several junior instructors. The boats are being readied, and life jackets have been purchased. Dickson stated the Harbor Lady from Sturgeon Bay will dock at the Harbor on August 14 on a trial basis. The Harbor Lady is interested in providing cruises for a number of weekends on a trial basis. The Kayak concessionaire was busy at the Beach on Sunday. There was mention of the desire for an animated bird to be placed at the marina to deter seagulls from using the area.

b. Slip Rental Status and Seasonal preparations

c) Ad Hoc Committee

a. Fire Station No. 1 Committee Report Dickson reported that Henry Isaksen will have some materials for the Committee within the next week.

b. Set date for Joint Meeting - a meeting date is dependent on the bidding schedule for the Fire Station No. 1.

d) Public Art Committee

a. Comments and remarks from Committee Chair Cammack reported thirty artists attended the reception. The committee would like to see the Eggrobats for the Independence Day parade.

b. Approval of Art Project submission from Jeff Olson Cammack moved to approve the fish pole tree sculpture along the South Trail walking trail, seconded Fisher. Motion passed unanimously. The committee meets on the third Monday of the month.

e) Plan Commission

a. Comments and remarks from Committee Chair – Fisher reported the Commission did not meet in May but will meet on the 28th of June. Sam Perlman from the Economic Development Corporation will be in attendance at the August board meeting to begin discussions.

f) Parks and Public Works Committee

a. Comments and remarks from Committee Chair Hill stated the Committee discussed some strategic planning for the Village, and a full report will come to the July meeting.

b. South Trail There was some concerns about the walking surface. It will be graded more and the inside sections where there was fill will have more work.

c. Beach Park restroom / porta potties - This issue was directed to the Parks and Public Works Committee for study. Permeable paver bricks will be installed between the sidewalks and curb in some places in the down town area.

g) Administration Committee

a. Comments and remarks from Committee Chair -- Fisher stated the Administration Committee will bring some matters to the board for consideration. At this time Pat Gureski announced her planned retirement at the end of this fiscal year. Fisher stated the Administration Committee will be looking at the change and would like to have a new employee on board by November 1.

h) Utility Committee

a. Comments and remarks from Committee Chair Cashin stated Rocky Fairchild agreed to serve for another term. Committee recommends acceptance of the McMahon proposal on the lift station rehabilitation.

b. Resolution on Annual Compliance Maintenance Report Fisher moved to accept the compliance Maintenance annual report 2011-02, seconded Cashin. Motion passed unanimously.

c. Approval of a Proposal for design and engineering Services for Lift Station Improvements Hill moved to approve the proposal not to exceed \$37,000 to McMahon Engineers and Scientists to include the addition of engineering for a generator, seconded Fisher. Motion passed unanimously.

d. Approval of the discontinuance of providing sanitary holding and septic tank pump outs Cashin stated the Committee recommends discontinuing the pump outs. Cashin moved to discontinue Village pump outs by the Village truck as of August 1st, seconded Cammack. Motion passed unanimously. Hill stated that the Village might consider future use of the pumper as Public Works feels it could be used for watering.

The Committee has been looking at delinquent utility bills over 120 days and letters have been sent to those customers who are of that status. Cashin expressed a concern that of proposed legislation to disallow municipalities to put a lien on delinquent utility bills. The Committee is discussing increasing the sewer user rates due to losses in recent fiscal years.

i) Clerk Treasurer

a. Budget year to date and other financial reports The reports were presented and accepted by the Board. Fisher stated the Harbor Hounds Group will be reimbursing the Village for costs on the construction of the dog park.

b. Application for a Temporary Class "B" Retailers License to sell fermented malt beverages by Egg Harbor Business Association for July 2 and July 3 Fisher moved to approve, seconded Dickson. Motion passed unanimously.

c. Approval of Alcohol License Renewals

**Renewal Licenses to be granted for the period from July 1, 2011 for the year ending June 30, 2012:
Combination "Class B"**

Fisher moved the "Class B" Liquor License and Class "B" alcohol license be granted to **Mojo Enterprises III, LLC, Kimberly Jensen**, Agent at 7778 Hwy 42 seconded, Dickson Motion passed unanimously.

Fisher moved the "Class B" Liquor License and Class "B" alcohol license be granted to **Casey's of Door County Inc., Matthew Peterson**, Agent at 7855 Hwy 42, seconded Hill. Motion passed unanimously. Fisher moved to approve the tobacco license to Casey's of Door County, seconded Cammack. Motion passed unanimously.

Fisher moved the "Class B" Liquor License and Class "B" alcohol license be granted to **Alpine Inc., William D. Bertschinger**, Agent at 7715 Alpine Road, seconded Cashin. Motion passed unanimously.

Fisher moved the "Class B" Liquor License and Class "B" alcohol license be granted to **Conch Co, Inc., Robert P. Pollman, II**, Agent for Shipwrecked at 7791 Hwy 42, seconded Dickson. Motion passed unanimously.

Fisher moved the "Class B" Liquor License and Class "B" alcohol license be granted to **Jersey Shore Pub**, Thomas Bellardine, Agent at 7740 Hwy 42, doing business as **Jersey Shore Pub** seconded Hill. Motion passed unanimously.

Fisher moved the "Class B" Liquor License and Class "B" alcohol license be granted to **The Orchards at Egg Harbor, LLC, Jack Jackson**, Agent at 8125 Heritage Lake Road, seconded Cammack. Motion passed unanimously.

Fisher moved to grant the tobacco license to The Orchards, seconded Cammack. Motion passed unanimously.

Fisher moved the renewal "Class B" Liquor and Class "B" alcohol license to **Wegner/Anderson LLC, Richard Wegner**, Agent at 7755 State Hwy 42 doing business as **The Bistro Bar & Grille, The Board room, The**

Terrace and The Lake Michigan Room, seconded Hill. Fisher amended her motion to approve the license conditional to the agent clarifying the application, seconded Hill. Motion passed unanimously.

Class “B” Beer and Class “C” Wine

Fisher moved the Class “B” Beer and “Class C” Wine licenses be granted to **MOJO Enterprise, LLC, Kimberly Jensen**, Agent for Village Café at 7918 Hwy 42, seconded Cammack. Motion passed unanimously.

Fisher moved the Class “B” Beer and “Class C” Wine licenses to granted to **Marjeron LLP, Ron Perley, and Jerome Spitz partners** at 4655 County E, seconded Dickson. Motion passed unanimously.

Fisher moved the Class “B” Beer license be granted to **Lawrence and Rebecca Majewski** doing business as **Parador** at 7829 Hwy 42, seconded Dickson. Motion passed unanimously.

Fisher moved the “Class B” Beer License be granted to **Spinnaker Properties of Door County LLC, Bruce Hill**, Agent at 7928 State Highway 42, seconded, Cammack with Hill abstaining. Motion passed unanimously.

Fisher moved the “Class C” Wine License be granted to **Savory spoon, Inc., Janice Thomas, Agent** at 7813 State Highway 42, seconded Cammack. Motion passed unanimously.

Class “A” Beer and Class “A” Liquor

Fisher moved the Class “A” Beer and “Class A” Liquor License be granted to **Made In Britain, Ltd., Gary Sedan**, Agent at 7828 Hwy 42, Units G & H , seconded Hill. Motion passed unanimously.

Fisher moved the Class “A” Beer and “Class A” Liquor License be granted to **Wegner/Anderson LLC, Chris Anderson**, Agent at 7755 Hwy 42 doing business as Door County Deli, seconded Hill. Motion passed unanimously.

Fisher moved the Class “A” Beer and “Class A” Liquor License be granted to **Robert H. Mueller**, Agent for Mueller’s Mini Mart LLC at 7784 Hwy 42, seconded Dickson. Motion passed unanimously. Fisher moved to approve the tobacco license to Mueller’s Mini Mart , seconded Cammack. Motion passed unanimously.

Fisher moved the Class “A” Beer and “Class A” Liquor License be granted to **MSM Ltd, R. David Callsen**, Agent at 7770 Hwy 42, seconded Cashin. Motion passed unanimously. Fisher moved to approve the tobacco license to MSM Ltd., seconded Cashing. Motion passed unanimously.

Fisher moved the “Class A” Liquor License be granted to , **Ashbrooke of Door County, Inc. Fred Anderson**, Agent at 7942 Hwy 42 seconded, Hill Motion passed unanimously.

Fisher moved the “Class A” Liquor License be granted to **Green N Grains, LLC, Kathleen Navis, Owner** at 7821 State Highway 42, seconded, Cashin Motion passed unanimously.

Fisher moved the “Class A” Liquor License be granted to **Blind Dog Inc., Stacy Sawdo, Agent** at 7810 and 7812 State Highway 42, seconded, Dickson. Motion passed unanimously.

Fisher moved the “Class A” Liquor License be granted to **Lodgeminium, Inc., Myles Dannhausen, Sr., Agent** at 7933 State Highway 42, seconded, Dickson Motion passed unanimously.

Approval of Beverage Operator Licenses per list: Fisher moved to approve beverage server operator’s permits to:

Joseph P. Smith At Conch Co.

Stacy Sawdo At Conch Co.

Lorionna Borgmann at Conch Co.

Nathan Koslowski at Conch Co.
Emily Pitchford at The Alpine Inc.
Cindy Livingston at The Alpine Inc.
Carey Bertschinger at The Alpine Inc.
Christy Bertschinger at The Alpine Inc.
Peter Hickey at The Alpine Inc.
David Pitchford at The Alpine Inc.
Dennis McCarthy at The Alpine Inc.
Mary Mueller at Mueller's Mini Mart
Jacqueline Charney
Robert J. Mueller at Mueller's Mini Mart
Kyle Bley at MSM Ltd.
William Pinkham at The Orchards
Robin Jackson at The Orchards
Kimberly Nimmer at The Orchards
Gregory Zipperer at Blind Dog Inc.
James Sanden for Lions club
Duane M. Bavlnka for Lions Club
Pamela Wegner at Liberty Square Shops
Shawn Huempfnr at Blind Dog Inc.
Sheila Boeck at Casey's Smokehouse & BBQ
Steven Tanck at Casey's Smokehouse & BBQ
Regan Spangler at Casey's Smokehouse & BBQ
John Holmes at Casey's Smokehouse & BBQ
Rick Chomeau at Casey's Smokehouse & BBQ
Deborah Franke at Casey's Smokehouse & BBQ
Anthony Gonzales at Casey's Smokehouse & BBQ
Steve Northrop at MSM Ltd.
Kaaren Northrop at MSM Ltd.
Bernadette Strege at MSM Ltd.
And new Operator's Licenses to
Debra Bartol for Mojo Rosas
Hans Ribbens
Jessica Haines at Parador
Kaitlin Dawidiuk at Mojo Rosa's
Isaac Haight at The Orchards
Bret C. Britton at Parador
Joelle Polsin at Jersey Shore Pub, with permits to Amanda Zielenski, Tiffany Johnson and Ronda Richards contingent upon proof of certification of a beverage server course or licensing within the State within the recent two year period, seconded Dickson. Motion passed unanimously.

j) Administrator

a. Report of code enforcement. Van Lieshout stated he met business owners regarding sign matters and issues all have been resolved. Van Lieshout issued a permit to Casey's BBQ and Smokehouse for concrete slabs to relocate the smoker to the rear of the building. He issued a sign permit for the Peg Egan Performing Arts Center. He spoke with Gloria Hansen and Bobbie Orris for extra signage to accommodate the liquidation sale at Cupola House. Bobbie stated that she is from a company to help Gloria with this liquidations sale that is projected to go through August 6 and asked for an exemption to the sign Code.

Hill determined that there are three signs, one on each side of the Cupola House building and one for Cupola Café on a sign post. Hill suggested modifying the existing signage. Gloria responded with a banner advertising the closeout sale. A temporary sign may be constructed over the Cupola House A Historic Landmark sign. Bobbie stated they have banners and would like an exemption for the special event. Hill and Van Lieshout stated the large pink banners are not compliant. Bobbie stated she misinterpreted the ordinance to say that a banner of 15 feet long was permissible, but it was clarified that 15 square feet for a banner is permissible. Bobbie Orris suggested perhaps the banners could be up just on the weekend, and then perhaps two other weekends. Consensus of the board was to comply with the existing sign ordinance.

Fisher stated that Vande Castle was going to review the court case decision and report to the board. Fisher is looking for that report.

b. Report on meeting of the June 7, 2011 Egg Harbor Business Association Board Meeting Van Lieshout stated he spoke with Lynn Mickelson who had attended the meeting. Fourth of July planning is continuing.

c. Horseshoe Bay Road parking Van Lieshout stated the Village painted a no parking area along the Shipwrecked building. The owners are ok with that, however asked the sign be changed to read “no parking-loading zone”. Dickson suggested adding curb and gutter to that area to deter parking.

d. Independence Day Celebration Preparations Van Lieshout reported there will be officers directing traffic during the parade and two during the fireworks. They will also do verifications for alcohol violations. During the fireworks the Beach will be closed.

5) Compliments and Complaints - Village looks great.

6) Open Session – Nothing

7) Adjournment – Fisher moved to adjourn the meeting at 8:50 p.m., seconded Cammack.

Recorded by, Patricia C. Gureski, Clerk-Treasurer