

Regular Town Board Meeting- May 15th, 2017- 7:00 PM

The meeting was posted Wednesday, May 10th, 2017 at the Bayfield Town Hall, the town website, and submitted to the Ashland Daily Press Meeting Notices. Chairman Thomas J. Gordon and Supervisors Karen Boutin, Robert Meierotto, Gerald Carlson, and Craig Hoopman were present, as well as Clerk Kelly Faye, Treasurer Larry Weber, and Road Foreman Chuck Cadotte. Twenty-two members of the public were present. Chairman Gordon called the meeting to order at 7:00 PM.

Public Comment and Suggestions from Persons Present: David Galazen commented that he thinks Fire Hill should stay as it is now. The upcoming special meeting to discuss this issue was brought up.

Discussion and Identification of Items for Future Agendas: Hoopman suggested that the speed limit coming into Bayfield which goes from 45MPH to 25MPH could be discussed at a future meeting with the idea it might become a more gradual reduction. A.J. Long was present and stated this was brought up to the DOT a few years ago and they would not make a change.

Approval of the Minutes of the Regular Town Board Meeting of April 18th, 2017: A motion was made by Meierotto, seconded by Carlson, to approve the minutes. Motion carried.

Receive and Place on File the Treasurers Report for May 2017:

Treasurer Weber reported the following...

General Checking Account	Current Balance:	\$ 8,346.69
Money Market Savings Account	Current Balance:	\$ 295,469.12
Total		\$ 303,815.81
Designated Funds		
	Growth Incentive Fund	\$ 15,762.25
Total Designated Funds		- \$ 15,762.25
Cash Available to Town		\$ 288,053.56
Combined Bremer Bank Loan Principal		\$ 116,330.87
Payments due on the 1st each month.		\$ 5,400.00
Last payment April 1st, 2019		

A motion was made by Hoopman, seconded by Boutin, to approve the report. Motion carried.

Report from Pikes Bay Sanitary District: A.J. Long explained that at the Annual Town Meeting the tax levy was discussed and the possibility of the entire Town of Bayfield being included in the sanitary district was brought up. To explore this option Pikes Bay Sanitary District would have to petition the Town of Bayfield to allow residents to make a decision on it. He stated that their next meeting will be on June 5th at 4:00 and they would like someone from the town to attend. A representative from the Town would help with transparency. Hoopman agreed to attend. A member of the audience asked what the advantage to encompassing the whole town would be. Long suggested that if the boundary was enlarged it would reduce costs for everyone. The sanitary district levy taxes are not going to go away. They may be reduced but are not going to be eliminated. It was also asked if this would ease the burden on the City of Bayfield. Long answered that it would not as the 82% coming from the City and the 18% coming from Pikes Bay Sanitary District would not change. Chairman Gordon stated that if the Pikes Bay Sanitary District brings a petition, the Town will have to talk to our lawyer about whether the vote would be by the Town Board or the entire township. Long explained that if this type of change were to occur, some that will not have service would get taxed but that it is important to all to keep the lake clean.

Report from Sign Committee: Boutin reported that a meeting recently took place but no further action has been taken place at this point.

Report from Business Park Promotion Committee: It was reported that Pikes Bay Sanitary District and the Bayfield County Zoning Office will be represented at the next meeting. One business has shown interest in relocating to the Park. Ron Hauptert is working on the efforts of the telecommunications committee related to internet and cell service and will be meeting with Centurytel. He is also in discussion with Norvado. There is a grant opportunity that may be pursued. Representative Beth Meyers will attend the next telecommunications committee meeting on June 5th.

New Business

Discussion and possible recommendation to Bayfield County Planning and Zoning regarding application for Class B Conditional Use Permit from Richard and Janet Dale, Jon Dale-Agent, for a farm winery, with on-premises and off-premises signage as allowed by ordinance, on 30-acres located at 87080 and 87090 Valley Road, Zoned Ag-1. Legal Description: N¾, SE¼, Sec 4, T50N, R4W. Tax ID# 37494: The Plan Commission recommended approval. A motion was made by Carlson, seconded by Hoopman, to approve the application. Motion carried.

Discussion and possible recommendation to Bayfield County Planning and Zoning regarding application for Class B Conditional Use Permit from Arnold and Patricia Carver, John and Mary Thiel-property buyers/agents, to build a sporting goods/clothing store, event center, bar, microbrewery, and trails, as well as an on-premises sign, located on

36.53-acres off County Hwy J, Zoned R-RB. Legal Description: Lots 8, 16, 17, 18, 19, 20, and 21 of vacated plat of Lake View Heights in V. 665 P. 428, Sec23, T50N, R4W. Tax ID#5896: The Plan Commission recommended approval. A motion was made by Hoopman, seconded by Meierotto, to approve the application. Motion carried.

Discussion and possible action to table the following based on the recommendation from the Plan Commission and recommend that Bayfield County Planning and Zoning also table this item, pending additional information: Class B Conditional Use Permit from Fire Hill LLC, Robert Davidson-Agent, for a zoning district map amendment on four parcels to be rezoned from Agricultural-1 (Ag-1) and Forestry-1 (F-1) to Residential-2 (R-2). Parcel #1 is a 38.6acre parcel described as the NE ¼ of the SW ¼ in V. 1080 P. 168-169 Tax ID #4379; Parcel #2 is a 14.5-acre parcel described as that part of the SE ¼ of the SW ¼ intended to be all of said SE SW lying North of the Association Park and West of CSM #1657, in V. 1080 P. 168-169; both parcels are located in Sec3, T50N, R4W Part of Tax ID# 36440; Parcel #3 is a 39.5-acre parcel described as the NE ¼ of the NW ¼ in V. 1080 P. 168-169 located in Sec 10, T50N, R4W Tax ID# 35741; Parcel #4 is a 3.05-acre parcel described as Lot 6 of CSM #1657 in V. 1080 P. 168-169 located in Sec3, T50N, R4W Tax ID# 35739: The Plan Commission recommended tabling this issue until more information could be gathered at the Special Plan Commission Meeting scheduled for May 17th. A motion was made by Boutin, seconded by Meierotto, to table the application. Motion carried.

Discussion and possible action on recommendation to Bayfield County Planning and Zoning on Class B application from State of WI DNR/Town of Bayfield, Thomas Gordon-agent, for a variance (in shoreland zone) to construct an on-premise (2-sided) kiosk sign at the trailhead of the Salmo Lakewalk Trail, 36 ft. from the ordinary high water mark of Pikes Creek and 15 ft. from mapped wetland: A motion was made by Meierotto, seconded by Boutin, to approve the application. Motion carried.

Discussion and possible action on 2016-2017 Class B Beer/Liquor Combination Application from Lake Superior Big Top Chautauqua LLC, Daniel Clevette Agent, for single story building with bar and three meeting rooms located at 84810 Highway 13 (property previously known as Northern Edge) and 2016-2017 Class B Beer/Liquor Combination Application from Howl Clothing and Adventure, John Thiel Agent, for 33250 County Hwy J. (address not established yet), near the intersection of County Hwy. J and Hwy. 13, for an establishment which will be attached to a store (separate storage and entrance) and include outdoor seating: Chairman Gordon explained that the Town Board needs to be fair and look at the request in front of them.

Jon Thiel was present. He explained that their request is for an indoor/outdoor bar as part of their upcoming sporting gear store and also brought up the possibility of including a microbrewery. The intention is to have afternoon and evening hours but would not be open late at night. The property may be used for ski and bike demonstration trails. The bar would focus

on the underserved population that would like a drink after ski and bike trips. They hope to be open in the spring of 2018. It was explained by Thiel that there could be occasional outdoor music although it would not be a regular music venue and would not likely be held at night. There would not be disruptive late night noise. Their intention is to have the bar only open during their store hours which would include closing hours by 9:00 PM. They would however like to avoid being restricted to these hours.

Next, Terry Matier-Executive Director of the Big Top Chautauqua Board of Directors explained that their new building (the former Northern Edge) will be used as a new revenue source to bring in food and beverage income. This property will be part of their master plan. Several proposed uses were listed. Many of these uses were also presented by way of a letter dated May 1st and provided to the Town Board prior to the meeting and included...

- “-pre- and post-performance gatherings during the summer.
- after concert meet & greets with artists, cd signings.
- beer, spirits & wine tasting fundraisers.
- donor special events, dinners, receptions.
- small concerts in the off season complete with food & beverage offerings.
- Special dinners and events to raise funds to supplement BTC activities.
- Special fundraising events such as cooking competitions.
- weddings, retreats, and meetings, rentals for private parties.
- concert “reveal” events.
- project “reveal” events and community input forums.”

Several people in attendance brought up questions. One question was if they would be open to the public. It was confirmed that the property would be open to the public. During the summer of 2017, some things would take place under tent(s) on the lawn. They plan to be fully operational by 2018. Other questions dealt with how the property will relate to the proposed move of the tent to another location on Ski Hill Road in the coming years. There were concerns by some in attendance that Big Top may try to obtain the license to have it available if their tent moves to a new location and has need for a license for their concessions. Chairman Gordon reported the Department of Revenue has suggested that Big Top may qualify for an over-quota license (this is related to them being a non-profit organization that gives ticketed performances). Some members of the public expressed their preference that the license go to someone that has been established in the community and suggesting that Howl would be a better choice. Gordon brought up the fact that there is an ordinance that would require either business to be open a certain number of months each year (six) and the Town Board would have the option to revoke the license if that requirement was not met. Two local residents that live along Ski Hill Road shared their concerns about Big Top’s plans to move the tent to a new location on their road and suggested they could leave the tent where it is currently located. They both recommended that the license go to Howl rather than Big Top expressing that this choice would be better for the community. Kevin Hunt, who is the agent listed on the application, suggested that the item can

be tabled. This would also allow for time to pursue the option of an over-quota license. Hoopman stated that he does not want to see the item tabled. He expressed his viewpoint that Big Top has options and is currently functioning, and has options to continue as they are. The Thiel's (and Howl) have been established in the community for years. He also commented on his dislike of a phrase that Big Top presented at the recent meeting addressing their re-zone request... "enhance our portfolio". Hoopman expressed his opinion that Big Top Chautauqua was originally established/run with those objectives.

A motion was made by Hoopman, seconded by Boutin, to grant the one available Class B Liquor license to Howl, LLC (John Thiel-Agent). A roll call vote was taken. Hoopman-yes, Boutin-yes, Meierotto-yes, Gordon-yes, Carlson-abstain. The final vote was 4 yes and 1 abstain. Motion carried.

Notification of 2016-2017 Applications for Renewal of Liquor Licenses received as of May 15th, 2017 to be published and considered for approval at the June 19th, 2017 Town Board Meeting: Clerk Faye read the list of liquor license renewal applications that had been received as follows-

Apostle Highlands Golf Course has applied to the Town of Bayfield for a Class A Beer and a Class B Liquor License for the Apostle Islands Golf Course-Club House Bar and Restaurant, Pro Shop, and Golf Course Grounds, 34745 Madeline Trail, Bayfield, WI 54814.

Ashwabay Outdoor Educational Foundation Inc. for a Class B Beer and a Class B Liquor license for Mount Ashwabay Bar and Two Tents and Grounds, 32525 Ski Hill Road, Bayfield, WI 54814.

Bayfield Apple Company LLC, has applied for a Class A Liquor and Class A Beer License for their Orchard Store, 87540 County Highway J; Bayfield, WI 54814.

Bayfield Winery LTD has applied to the Town of Bayfield for a Class A Liquor license for the main floor of Hauser's Red Barn, 86565 County Highway J, Bayfield, WI 54814.

Flamingos Up North Inc. has applied to the Town of Bayfield for a Class B Beer and a Class B Liquor License for the Wild Rice Restaurant including all decks and walkways, 84860 Old San Road, Bayfield, WI 54814.

Frederick Martin Erickson, Erickson Orchard & Country Store, LLC has applied to the Town of Bayfield for a Class A Liquor license for their Country Store, 86600 Betzold Road; Bayfield, WI 54814.

Goldridge Group LLP for a Class A Beer License for their Marina Ship Store, 84190 Pikes Bay Road, Bayfield, WI 54814.

Howl, LLC has applied to the Town of Bayfield for a Class B Beer and a Class B Liquor License for a room attached to Howl Clothing and Adventure Store and an outdoor seating area, 35250 County Hwy. J, Bayfield, WI 54814. This license was approved at the May 15th, 2017 Town Board Meeting.

Pikes Creek Winery LLC has applied to the Town of Bayfield for a Class A Liquor License for their farm sales building, 87090 Valley Road, Bayfield, WI 54814.

Port Superior Marina Association, Inc. has applied to the Town of Bayfield for a Class B Beer and a Class B Liquor license for Portside Bar and Restaurant, including the 2nd floor of restaurant building, all deck levels, clubhouse, admin office, and pool area located at 34475, and ship store located at 34480, Port Superior Road, Bayfield, WI 54814.

Seven Ponds Winery has applied to the Town of Bayfield for a Class A Liquor license for the first floor of the farmhouse, 87380 Betzold Road, Bayfield, WI 54814.

Notice of the applications would be published and considered at the June Town Board Meeting.

2016/2017 Operators License Applications received as of May 15th, 2017 to be considered for approval at the June 19th, 2017 Town Board Meeting: A written list of the applications received up the that date was provided to the Town Board.

Discussion and possible action on option to change Town of Bayfield financial institution based on interest rates: Treasurer Weber provided a written report of the options as follows-

“Money Market Savings allows liquidity of money for anytime withdrawals:

Current Bremer Bank Interest rate is .27%

Proposed rate would go to .35%

Chippewa Valley proposed a rate of .35%

Norther State Bank rate is .25%

To switch to a different bank would require new checks, deposit slips, check deposit stamps and notification to direct deposit accounts as well as auto pay accounts.

There is a Local Government Investment Pool managed by the State of Wisconsin. The current interest rate is .61%. They also allow for anytime withdrawals. Bayfield County currently invests in this pool as well as local banks.”

Chairman Gordon disclosed that he is on the Board of Directors of Chippewa Valley Bank. Discussion took place about the options. It was agreed that the best option was to stay with Bremer Bank.

Discussion and possible action on approval of renewal of current property and liability insurance policy and select or decline available add-ons: Discussion took place about the cyber coverage which included a premium, a deductible, and would only be needed in the case of a cyberattack. Treasurer Weber stated that it is not very likely that someone would hack into their accounts. A motion was made by Boutin, seconded by Meierotto, to deny the cybersecurity insurance add on. A roll call vote was taken. Carlson-yes, Boutin-yes, Meierotto-yes, Gordon-yes, Hoopman-abstain. The final vote was 4-yes and -abstain. Motion carried.

Receive and place on file Correspondence for May 2017:

Outgoing

1. Federal EFTPS Payroll Withholdings.
2. Wisconsin Payroll Withholdings to WI Dept. of Revenue.
3. Room Tax Report to WI Dept. of Revenue.
4. 2017 Census of Governments Survey of Public Employment and Payroll Report.
5. Election Voting and Registration Statistics Report for Spring Election.
6. Legal Notice of Alcohol License Application Received.
7. Notice of Open Book, Board of Review, May Plan Commission Meeting, and May Town Board Meeting.
8. Dumpster Day Flyer.
9. Minutes of Annual Town Board Meeting, April Plan Commission Meeting, and April Town Board Meeting.
10. Email Correspondence with applicants for zoning permits to be considered at the May Town Board Meeting.
11. Email Correspondence with Tom Ourada of WI Dept. of Revenue related to liquor license laws.
12. Email Correspondence with Big Top Chautauqua related to liquor license laws.
13. Workman's Compensation forms to Travelers Insurance related to employee injury.
14. Signed Zoning Carrier, Mir, and Hart Applications to Bayfield County Zoning Department.
15. Liquor License Application Renewal Packets.

Received

1. Letter from Bayfield County Zoning Office notice of approval of Carrier application.
2. Insurance Renewal Packet from Holden Insurance.
3. Zoning Applications for Howl, Pikes Creek Winery, and Fire Hill, LLC.
4. Workers Compensation Insurance Non-Renewal Alert due to carrier change-over.
5. Focus on Energy Flyer.
6. EPIC Specialty Benefits Notice of W-2 Tax Preparation Availability.
7. Notice from WI Dept. of Health Services about cigarette license fee maximums.
8. Copy of Telecommunications Survey from Town of Russell.
9. Local Government Essentials 2017 Training Brochure.

10. WISLR Road Survey Packet for 2017.
11. Several Liquor License Renewal Forms.
12. Several Operators License Renewal Forms.
13. Managed Forest Law Transfer Order for 40-acre transfer from Dan Folske to Up North Food Service.
14. WI Energy Cooperative News for May.
15. Ameritrade Account Statement.
16. WI Towns Association Magazine.

A motion was made by Boutin, seconded Carlson, to approve the correspondence. Motion carried.

Approve payment of bills: A motion was made by Hoopman, seconded by Boutin, to approve the payment of the bills. Motion carried.

Receive and place on file the Clerks Financial & Budget Report for April 2017: A motion was made by Boutin, seconded by Meierotto, to approve the Clerk's Report. Motion carried.

Reminder of Upcoming Dates:

a. Special Plan Commission Meeting: Continuing discussion of request to re-zone four parcels on Fire Hill- Wednesday, May 17th at 5:30 PM.

b. Dumpster Day- Saturday, May 20th from 7:00 AM-1:00 PM.

Adjourn: A motion was made by Hoopman, seconded by Boutin, to adjourn the meeting. Meeting adjourned at 8:10 PM.

Minutes respectfully submitted by: Kelly Faye-Clerk.