

TOWN OF LIBERTY GROVE PUBLIC MEETINGS

Mariners Park Project Development ad hoc

Date: Monday, April 5, 2021

Time: 6:00 PM

Place: Liberty Grove Town Hall, 11161 Old Stage Rd, Sister Bay *via Zoom*

Agenda:

1. Call to Order
2. Roll Call
3. Approve Agenda
4. Approve minutes: 3/8/2021
5. Public input
6. Update on activities at Mariners Park at Gills Rock
7. Discussion and possible action: 5-year plan
8. Correspondence
9. Future meetings
10. Adjourn

Anastasia Bell, Clerk/Treasurer

*** Deviation from posted order may occur. Audience members must ask for permission, during public input, to speak on topics they wish to address***

Members of the Liberty Grove Town Board or any other Liberty Grove Town committee, who are not members of the body whose meeting agenda(s) is(are) published in this(these) notice(s), are entitled, as any other citizen of the Town of Liberty Grove, to attend this(these) meeting(s) in an unofficial capacity. It is possible the attendance of one or more non-members may create a quorum of the membership of another body. Such a quorum is unintended and the non-members are not meeting for the purpose of exercising the powers or duties attendant upon their membership on any Town committee or board.

Town of Liberty Grove is inviting you to a scheduled Zoom meeting (teleconferencing). To Join Zoom Meeting enter the following on your computer:

<https://us02web.zoom.us/j/87935641893?pwd=ZU8wQVNFWXQvYzNDZlloeTZzSnBwUT09>

Meeting ID: 879 3564 1893

Password: 808310

If the link doesn't work, go to <https://zoom.us/>, click the "Join a meeting" button and enter the meeting ID and Password when prompted.

To find your local number visit <https://zoom.us/join>. To join the meeting by telephone dial one of the numbers below based on your location.

(312) 626-6799 US (Chicago)

(301) 715-8592 US (Washington D.C.)

(646) 558-8656 US (New York)

(346) 248-7799 US (Houston)

(253) 215-8782 US (Tacoma)

(669) 900-9128 US (San Jose)

Town of Liberty Grove
Minutes of the Mariners Park Project Development ad hoc meeting on March 8, 2021
(this meeting was correctly posted)

Agenda:

1. Call to Order
2. Roll Call
3. Approve Agenda
4. Approve minutes: 2/1/2021, 2/8/2021
5. Public input
6. Update on activities at Mariners Park at Gills Rock
7. Discussion and possible action: 5-year plan
8. Correspondence
9. Future meetings
10. Adjourn

Chair Cathy Ward called the meeting to order at 6:00pm. Committee members Paul Schwengel, Sylvann Welcome, and Rick Johnson were present along with Administrator Walter Kalms, Clerk/Treasurer Anastasia Bell and 2 members of the public via teleconference (Zoom).

Schwengel moved, Johnson second to approve the agenda as posted. Passed 4-0. Committee member Mike Bahrke joined the meeting at 6:03pm.

Ward moved, Welcome second to approve the 2/1/2021 minutes as presented. Passed 5-0.

Ward moved, Welcome second to approve the 2/8/2021 minutes as presented. Passed 5-0.

Public Input – Carl Zapffe, Ellison Bay, asked if the landscape contractor has been contacted. Ward indicated they have not yet been contacted. Steve Eatough, Sister Bay, reiterated that the house has been vacated, the water level is going down, the virus is decreasing, and architects have been recommended. He indicated that he does not believe the buildings are real property if removed and there will be private funding available if the total was known. Ward replied that the recommended architect is aware of the short-term concerns and that the process will be a phased approach and requested more discussion after the buildings have been decided upon.

Activity update – It was confirmed that the park will be closed until at least 06/30/2021 due to the current Town Emergency resolution. The current plan is to have benches, grills, tables, porta toilets, and a designated parking area available when the park can open. DCMM and LGHS will come this spring/summer to gather items. It was noted that the parking area should have ropes or another barrier to keep vehicles from leaving the area. Based on the rules required for each step of the process, it will be impossible for the park to be fully open and function in only a couple of years. The phased plan will create a general timeline, but the amount of time and other agencies required to be involved will need to be determined for each item within the list. Kalms clarified that Towns can accept donations but they are not obligated to spend the funds as specified in the donation.

Repairing the dock to create an official safe harbor of refuge may be the best option when approaching the Waterway Commission since the dogleg is already a safe harbor. Cost information and a plan would need to be available by August for Coastal Management.

5-year plan – The phased plan, attached to these minutes, was reviewed cost estimates were added if available and the following items were noted and the most current version is attached to these minutes:

- Phase 2 and 3 will require a significant amount of time.
- The order of items within the phases still needs to be determined.
- Ropes may work as temporary barriers to keep people off the dock and out of neighboring property.
- Spawning areas may need to be known for the dock repairs.

Correspondence – None

The next Mariners Park Project Development ad hoc meeting will be on Monday, April 5, 2021 at 6:00pm.

Schwengel moved, Johnson second to adjourn at 7:54 pm. Passed 5-0.

Respectfully submitted,
Anastasia Bell, Clerk/Treasurer

PHASED PLAN FOR DEVELOPMENT OF MARINER PARK

PHASE 1 These measures will be taken at Mariner Park in 2021

Shoreline Protection	35,000-70,000
Sign at entrance	1,000
Establish or make a parking area between the access driveways-65 yds ³ gravel	crew + 275 gravel
Tables, 4	Donations
Grills, 2	Donations
Benches, at least 1	Donations
Cleanup edge line between riprap and grassy area-install a walking path here?	
General property maintenance, tree trimming, cut out dead wood, removed dead and dying trees.	crew
Remove small storage building at the north end.	crew
Porta potty	90/month
Possible settlement of disposition of the Weborg house-annual meeting	
Take measures to ensure operation of the pressure tank located in the crawl space	
LGHS, Maritime Museum, GEO-DC remove desired contents of buildings 1, 2, & 3 prior to likely demolition-spring/summer 2021	0
Decide on any agreement regarding shared well on commercial property and pressure tank on Town Property.	

PHASE 2

phase II study of property and abestos investigation-EPA/DNR	20,000
Disposition, likely demolition, of buildings 1, 2, 3, & 4	40,000
Repair of docks, making the area accessible from shore area to the north as well as from a possible parking area where Weborg house is currently located or possible parking area nearby-Grants (Coastal Management/Waterway Commission)	100,000
Signage, temporary followed by permanent barriers/markers to restrict access to Weborg commercial activity and dock areas where improvement work will occur. Maintain nautical theme.	5,000
Appropriate sign to encourage fishing, discourage swimming, & discourage walking or climbing on the rocks.	25 plus support 500
Shelter/Pavillions	20,000
Additional tables, grills, and benches as more of the park becomes accessible	2,000
Restrooms	30,000

PHASE 3

As shoreline work is completed and removal/remodel/restoration of buildings establish/finalize entrance & exit, parking area, and walkways (if any) between parking and shoreline, restrooms	10,000
Create final parking area as it fits in with Town Crew schedule (asphalt, impervious surface)	14,000
Final Park signage	1,000

PHASE 4

Focus on Memorial to Commercial Fisheries, exhibits, etc.	?
Exhibits, educational and interpretive signage	?

Purchasing and Disposing of Town Property

Often times, town boards must consider and take action on whether to purchase property for a particular project or whether to sell property, such as real estate or equipment that belongs to the town. This article addresses the proper steps to take prior to doing so.

General authority

Pursuant to s. 60.22, Wis. Stats., the town board has charge of all affairs of the town. This authority includes making the final decision on what to do with both real and personal property.

Real Property

Real property includes land and any buildings or improvements made on the land. It also may include any rights or privileges to land (i.e. easements, leases). See generally, s. 70.03, Wis. Stats. Pursuant to s. 60.10(2)(g), Wis. Stats., a town board must obtain authorization from its electors to “*dispose of* town real property, other than property donated to and required to be held by the town for a special purpose.” Additionally, a town board must obtain authorization from its electors *to purchase* land within the town for a present or future purpose unless the acquisition of the land is to “lay, construct, alter, extend or repair any highway, street or alley in the town. See ss. 60.10(2)(e) & 60.50(1), Wis. Stats. A sample resolution authorizing the purchase of land may be found in the Wisconsin Town Law Form book at: http://docs.legis.wisconsin.gov/statutes/townlaw/forms/forms/_53.

Electors may grant these types of authorizations, via the adoption of a resolution, at the annual meeting in April or at a special town meeting of electors. If the sale or purchase is considered at a special town meeting of electors, the meeting must be properly called by: 1) a town meeting by the electors; 2) a written request by electors equaling not less than 10% of the votes cast in the November 6, 2018, election; or 3) by the town board at a properly noticed town board meeting. See s. 60.12(1), Wis. Stats. The notice of the special town meeting must include the purpose, the date, the time and location of the meeting and must be published as a Class 2 notice or posted in three public places or in one public place and on the town’s website not more than 20 days nor less than 15 days prior to the meeting. See s. 60.12(3), Wis. Stats. When computing time, do not include the day of posting, but do include the day of the meeting.

The authorization to sell or purchase real property requires approval by a majority of the qualified electors at the meeting. Note that while a town board is required to obtain authorization from its electors to sell or purchase real property, it is not bound to sell or purchase real property. As noted above, the board has the final say on whether or not to do so.

Personal Property

Personal property includes all goods, wares, merchandise, chattels, and effects, of any nature or description, having any real or marketable value. See generally, s. 70.04, Wis. Stats. Personal property is usually mobile. Consequently, a vehicle, a lawnmower, a computer and a table all fall under personal

property. If the town board wants to acquire or dispose of personal property, elector approval is *not* required.

As we discuss in Chapter 20, Bidding for Public Works Contracts, of the *Wisconsin Town Officers' Handbook*, Third Edition, 2017, competitive bidding is not required for equipment and service contracts. Hence, if a town board wishes to purchase a grader, a lawnmower, a computer, or some other personal property, the board is not required to “bid” out for this product nor is it required to seek elector approval prior to purchasing. Instead, a best practice is to seek proposals or quotes from potential vendors for the product and then consider these proposals or quotes at a properly noticed meeting.

The same holds true for the sale of personal property owned by the town. If the board opts to sell a piece of used equipment, it has the discretion to determine what method it will use to sell the equipment. Often times, town boards will advertise the sale of the personal property, accept sealed offers thereon, and then sell the equipment to the party who has made the highest offer. At other times, a town board may choose to trade the piece of equipment into the dealer to offset the price of the new equipment. All of these decisions are in the discretion of the town board and require board approval at a properly noticed town board meeting.

Sale of Town Property to Employees

While the board has the discretion to determine the method to purchase and dispose of personal property, it is important to note that it must be careful who it sells the item too. Prior to 2017 Wisconsin Act 65, towns were prohibited from selling any item to an employee under s. 175.10, Wis. Stats. However, Act 65 amended s. 175.10(1) and created 175.10(1m), Wis. Stats., to allow for the sale of surplus items to employees if:

- 1) The sale is of a surplus or discarded items that is no longer provided the item is available for sale using a publicly available method (newspaper, website, Craigslist, etc.), or
- 2) The item is regularly available for sale from the governmental entity to the public at the same cost (i.e. garbage bags, flags, etc.).

Any person found guilty of violating s. 175.10, Wis. Stats., is deemed guilty of committing a misdemeanor and can be punished by fine of not less than \$100 nor more than \$500 and/or can be imprisoned in the county jail for not less than 30 days nor more than 90 days. So it is best to ensure that you comply with the law to ensure that no one ends up in jail. Note, that a town board may adopt a resolution or ordinance stating that no town owned property will be sold to an employee or public official of the town.

A few reminders

Log in- WTA website: In October, a letter was mailed to every town clerk and chairperson which included instructions on how to log into the locked areas of the new WTA website. The letter included a temporary password expires on January 14, 2019. If you have not logged into the new site and created a permanent password, please do as soon as possible. Otherwise, you will be required to call our office to obtain access after January 14th. Thank you!

Caucus: For those towns using the caucus method, the caucus must be held during the period of January 2nd through January 21st. If you need a little refresher on how to run your caucus, you can find a great article detailing the process in the Information Library section of the WTA website. It is located under Elections. Again, you will have to log in to access this article.

Report of Mariner's Park Project Development ad hoc Committee

As recorded in the agenda and minutes of the November 20, 2019 Liberty Grove Town Board, the Mariner's Park Project Development ad hoc Committee was created and "charged with developing future plans for the Mariners Park at Gills Rock property with an emphasis on finances and budgetary considerations." The committee was to meet for one year, commencing January 1, 2020. Due to Covid-19 related delays and other difficulties encountered, the committee requested a six month extension. That request was granted on November 18, 2020 by the Town Board, with a revised deadline of July 31, 2021.

The accompanying document provides a listing of specific, individual and incremental tasks to be undertaken at Mariner Park in a phased approach to allow both limited public access to the park during the 2021 season and increased access as work is continued over the next several years. Estimated anticipated costs are associated with each specific and individual task.

The Mariner's Park Project Development ad hoc Committee feels the document of tasks and related costs can serve as a basic, guide and plan to various Town committees including Parks and Properties, Finance, and the Town Board as initial development of the park is implemented.

The chair of the committee is very appreciative to each of the committee members for the significant time, thoughtfulness and patience they have brought to the service of the committee and the Town of Liberty Grove.