

TOWN OF LIBERTY GROVE PUBLIC MEETING

April Board Meeting

Date: Wednesday, April 20, 2022

Time: 7:00 PM, or immediately following conclusion of the Sanitary District #1 meeting

Place: Town Hall, 11161 Old Stage Road

Agenda:

1. Call to order
2. Declaration of a quorum followed by pledge of allegiance
3. Approve Agenda
4. Approve Minutes: 4/6/2022, Sp. Board 4/11/22
5. Payment of bills
6. Treasurer's report
7. Public input
8. Highway Committee Recommendation: 2022 Paving
9. Plan Commission Recommendation: Heartland-10 (HL10) District Text Amendment
10. Committee Appointments: Finance, Fire Board, Plan Commission
11. De Moulin HVAC Service Contract Renewal
12. Associated Appraisals Assessment Contract Renewal
13. STR Monitoring Service Contract
14. Disposition of Encumbered Funds intended for Garbage Service
15. Short-Term Rental License(s)
16. Correspondence
17. Future meetings
18. Adjourn

All agenda items will include discussion and possible action. Deviation from listed order may occur

***Audience members must ask for permission, during public input, to speak on agenda items ***

Anastasia Bell, Clerk/Treasurer

Members of the Town Board or any other Town Committee, who are not members of the body whose meeting agenda is published in this notice, are entitled, as any other citizen of the Town of Liberty Grove, to attend this meeting 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
Minutes of the Town Board meeting on April 6, 2022
(this meeting was correctly posted)

Agenda:

1. Call to order
2. Declaration of a quorum followed by pledge of allegiance
3. Approve Agenda
4. Approve Minutes: 3/16/2022
5. Payment of bills
6. Administrator's report
7. Public Input
8. Highway Committee Request: Madsen Ordinance Violation
9. Write off Personal Property Tax for parcel 018-0063 for Years 2020 and 2021
10. Fee for Porte des Morts Staircase Signs
11. Town-wide Garbage Service Response
12. Short-Term Rental License(s)
13. Commercial Launch Pass(es)
14. Operator License(s)
15. Correspondence
16. Future meetings
17. Adjourn

Chairman John Lowry called the meeting to order at 7:00pm. Supervisors Paul Schwengel, Janet Johnson, Cathy Ward, and Nancy Goss were present along with Administrator Walter Kalms, Clerk/Treasurer Anastasia Bell and 3 members of the public.

Schwengel moved, Goss second to approve the agenda as posted. Carried 5-0.

Ward moved, Goss second to approve the minutes from 3/16/22 as presented. Carried 5-0.

Lowry moved, Johnson second to approve the payment of bills as presented with a total of \$128,097.28. Carried 5-0.

Administrator – Kalms reported the second set of paving bids are due 4/18/22, he is working on an application for the 2nd round of BIL funds, there was no damage to Town roads during the recent building transports, and the County is organizing a meeting related to Mike Kahr's highway request.

Public Input – Schwengel noted the house is being lifted from the foundation at Mariner Park.

Madsen Ordinance Violation – Lowry requested a motion to table this item. No motion was heard. Goss inquired as to why the Town had not removed the gravel in November, Kalms indicated that the gravel was altered after the November notice by Mr. Madsen. Dale Stewart, Highway Committee Chair, reported the Highway Committee felt the ordinance is violated and requested the Board review this item. Johnson referenced section 4a of the email from 4/6/2022 and reported that many agricultural access points have been addressed over the years and the owners were required to obtain a Town driveway permit. Kalms confirmed that driveways are inspected to determine if a culvert is needed. **Lowry moved, Ward second** to hold Mr. Madsen in violation of Ordinance 4-19. Roll call: Schwengel, Lowry, Ward, Goss, and Johnson voting aye, no nays. Carried 5-0. **Schwengel moved, Goss second** to send citation to Carl Madsen for violation of Ordinance 4-19 section 4. Carried 5-0. **Schwengel moved, Johnson second** to send notice of violation of ordinance 4-19 section 4 to Carl Madsen, effective 4/6/2022 in the amount of \$25.00 per day. Carried 5-0.

Personal Property Tax Write Off – Bell reported that the assessor has suggested the amounts from 2020 and 2021 be written off because the owner filed for bankruptcy in 2020. These two tax bills are from the time of bankruptcy until the property was sold. The new owners will be provided future bills.

Porte des Morts Signs – Bell reported that a request has been received to place a new staircase riser sign and one sign needs repair/replacement. The signs were originally sold as a fundraiser for the Dive Club, and the current estimate is \$243 for the sign and \$400 for installation by the sign company. **Lowry moved, Ward second** to set the fee for Porte des Morts staircase signs at \$750.00. Carried 3-0 with Goss and Johnson abstaining).

Town-wide Garbage – Kalms opened the only proposal received which was from GFL. The proposed price was \$21.50 per month per Town location. The total for year one would be \$490,200. **Goss moved, Ward second** to reject the proposal as funds are not available to fund the first year. Roll call: Lowry, Goss, ward, Schwengel and Johnson voting aye, no nays. Carried 5-0.

Short-Term Rental License(s) – Bell reported that updated POWTS information has been received for 11428 Beach Road. **Goss moved, Johnson second** to approve STR licenses for 10228 Settlement Lane, 11692 Tipperary Lane, 15233 Ranch Lane, 12444 Northern Door Road, and 11428 Beach Road. Carried 5-0.

Commercial Launch Pass(es) – Bell reported that Door County Adventure Rafting submitted an application for one pass and Beacon Marine submitted an application for three passes. **Ward moved, Goss second** to approve the commercial launch passes as presented. Carried 5-0.

Operator License(s) – None.

Correspondence – Kalms reported on a request for a business to stage picnics in Town parks. It was the consensus to discuss this at a future meeting. Lowry reported that Frontier has submitted an application to expand broadband services within sections of the Town and other municipalities are submitting objections to the application. It was the consensus to schedule a special board meeting.

A Special Board meeting was scheduled for 4/11/2022 at 4:00pm. The next regular meeting will be Wednesday, April 20, 2022 immediately following the Sanitary District Committee meeting which starts at 6:45pm. The Annual Town Elector meeting will be 4/19/2022 at 7:00pm.

Lowry moved, Goss second to adjourn at 8:33pm. Carried 5-0.

Respectfully submitted,
Anastasia Bell, Clerk/Treasurer

Town of Liberty Grove
Minutes of the Special Town Board meeting on April 11, 2022
(this meeting was correctly posted)

Agenda:

1. Call to order
2. Declaration of a quorum followed by pledge of allegiance
3. Approve Agenda
4. Payment of Bills
5. PSC Grant Application Objection Letter(s)
6. Adjourn

Chairman John Lowry called the meeting to order at 4:00pm. Supervisors Paul Schwengel, Cathy Ward, Janet Johnson, and Nancy Goss were present along with Administrator Walter Kalms, Clerk/Treasurer Anastasia Bell, and 1 member of the public.

Ward moved, Goss second to approve the agenda as posted. Carried 5-0.

Payment of Bills – Johnson moved, Goss second to approve the payment of bills as presented with a total of \$2,040.00. Carried 5-0.

PSC Grant Objection – Carl Zapffe, 630 Highway 42 Ellison Bay, indicated he has not been impressed with Frontier for the past 8 years and the 2GB offering would be woefully inadequate. It was noted by the Board that the reason for objection to the application is that Frontier is currently looking to service only a few areas of the Town and customers have expressed service issues for many years. **Lowry moved, Goss second** to approve the letter of objection as presented for Frontier's PSC grant application. Roll call: Johnson, Lowry, Goss, Schwengel, and Ward voting aye, no nays. Carried 5-0.

Goss moved, Ward second to adjourn at 4:11pm. Carried 5-0.

Respectfully submitted,
Anastasia Bell, Clerk/Treasurer

Town of Liberty Grove balance as of March 31,	2022	2021
1 Municipal Checking account	2,021,613.55	1,506,958.49
Transfer from Checking	320,000.00	-
Interest (0.05%)	78.23	68.12
Balance as of March 31,	1,701,691.78	1,507,026.61
2 Money Market Acct.	1,354,651.39	648,874.83
Interest (0.05%)	57.53	29.33
Balance as of March 31,	1,354,708.92	648,904.16
3 Checking Acct.	263,285.41	372,252.82
Plus deposits and transfers	339,837.22	15,676.29
Less FICA	14,760.13	14,195.01
Less State withholding	1,540.05	1,775.61
Less payroll	29,305.18	25,698.05
Less disbursements	306,304.01	249,235.96
Balance as of March 31,	251,213.26	97,024.48
4 Utility District Checking	81,029.61	79,404.51
Utility District Savings	290,931.45	290,774.50
Utility District Restricted Savings	78,160.14	58,854.45
North Shore Bank CD (23 months ending 07/31/2022)	149,963.56	149,248.04
Balance as of March 31,	600,084.76	578,281.50
 Municipal Checking	 1,701,691.78	 1,507,026.61
Money Market Acct.	1,354,708.92	648,904.16
Checking	251,213.26	97,024.48
Utility Dist.	600,084.76	578,281.50
 As of March 31, 2022, the total in all Town accounts is:	 3,907,698.72	 2,831,236.75

	A	B	C	D	E	F	G	H	I	J
1	Paving:	Miles	NEA \$	DC Hwy \$	Budget			NEA	DC Hwy	
2	Grasse Lane	0.44	\$68,186.30	\$75,633.00	\$59,400.00					
3										
4	Woodcrest	1.00	178,860.15	210,665.40	90,000.00					
5						Bid/quote		693,831.95	734,069.90	
6	Door Bluff Park	0.60	84,466.00	101,061.00	81,000.00	Budget (ded)		519,250.00	519,250.00	
7						Over (under)		174,581.95	214,819.90	
8	USPO Parking		22,158.40	22,364.50	27,000.00	50% Woodcrest(ded)		-89,430.08	-105,332.70	
9	1500 sq ft					Balance		85,151.88	109,487.20	
10	Garrett Bay	0.25	65,294.20	50,135.85	33,750.00	Patch & prep(add)		19,370.00	19,370.00	
11										
12	N Sand Bay	0.66	109,136.90	107,971.20	89,100.00					
13										
14	Winding Lane	0.53	83,672.40	84,294.95	71,500.00					
15										
16	Willdwood Ct	0.50	82,057.60	81,944.00	67,500.00					
17										
18	Total miles	3.98	693,831.95	734,069.90	519,250.00					
19										
20	**TOT PAVE**									
21										
22										
23										
24										
25										

PETITION FOR TEXT AMENDMENT
DOOR COUNTY COMPREHENSIVE AND FARMLAND PRESERVATION PLAN 2035

To: Door County Board of Supervisors
Door County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

Mail to: Door County Planning Department
Door County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

The undersigned hereby petitions your honorable body for an amendment to the text of the Door County Comprehensive and Farmland Preservation Plan 2035 to effect a change in Volume I, Vision and Goals:

Chapter Name ZONING DISTRICTS AND ZONING MAPS; USE REGULATIONS

Chapter Number 2.05: (3)(a) Table of principal uses - General

Page Number 2-09 THROUGH 2-17

to read as follows:

Uses permitted as conditional uses in the Heartland-10 (HL10) districts to include the following:

Auto Repair (s. 4.04(5)) and Trade or Contractor Establishments (s. 4.04(7)).

Dated this 20th day of April, 20 22.

Respectfully submitted,

Walter L. Kalms, Administrator

Name

11161 Old Stage Road

Address

Sister Bay, WI 54234

(Legal Signature)

(Date)

Action Taken:

(By County Planning Committee)

DATE: _____
Approved Denied

(By Board of Supervisors)

DATE: _____
Approved Denied

DATE FILED: _____

FEE PAID (Date): _____
(\$900.00)

(Make check payable to: Door County Treasurer)

Door County Land Use Services

ZONING AMENDMENT – TEXT

(See also Door County Comprehensive Zoning Ordinance section 11.08 and Wisconsin Statutes section 59.69(5).)

By state law, petitions to change the text of the Door County Comprehensive Zoning Ordinance are heard at a public hearing before the Door County Resource Planning Committee, which makes a recommendation to the county board for final decision.

If a majority of the town boards under county zoning do not approve of an amendment passed at the county level, there is a statutory procedure those towns can follow to "veto" that text amendment. *(Towns may not, through this authority, force the county to make amendments to the zoning ordinance text – they can only prevent an ordinance change.)*

WHO CAN SUBMIT A PETITION?

A petition to change the zoning district designation of a property or change the ordinance text may be submitted by:

- 1) any property owner affected by the proposed amendment,
- 2) the town board, if the town is under county comprehensive zoning,
- 3) the Door County Resource Planning Committee, or
- 4) any county board supervisor.

CONSIDERATIONS IN EVALUATING PETITIONS TO CHANGE TEXT OF THE ORDINANCE

- Will the amendment correct an inconsistency or loophole within the ordinance?
- Is the amendment more consistent with the goals of the comprehensive plan than existing ordinance text?
- Is the amendment contrary to the stated goals of the ordinance itself?

HEARING PROCESS & DECISION

1. Submit a completed application form with a \$750.00 non-refundable fee.
2. Provide proposed text to be added or changed.
3. Once the Door County Land Use Services Department deems the application complete, a copy of the application and draft staff report will be sent to the town to ask for recommendations and comments. The applicant will receive a copy of the letter which forwards the application to the town. Please call the town to see if/when the town may be meeting to discuss this matter.
4. The Door County Land Use Services Department will publish a notice of the hearing in the Door County Advocate and will notify the applicant and neighboring property owners in writing of the hearing date / time. It takes ~2 months from time of application submittal to hearing date.

ZONING AMENDMENT – TEXT

HEARING PROCESS & DECISION (continued)

5. The application packet (including staff report and letters) will be posted to the Land Use Services Department website the Friday before the hearing date.
6. If the applicant/petitioner fails to appear at the hearing (in person, or by agent or counsel), s/he will be deemed to be in default and the petition for zoning amendment may, in the Resource Planning Committee's sole discretion, be denied. The applicant/petitioner may, if s/he failed to appear (in person, or by agent or counsel) for good reason, request in writing that the Resource Planning Committee reopen the default denial. Any request to reopen must be made (i.e., written request received by the Door County Land Use Services Department) within thirty (30) days of the default denial. The Resource Planning Committee may, in its sole discretion, reopen a default denial if good cause is shown, such as mistake, inadvertence, or excusable neglect. If a default denial is reopened, the applicant/petitioner must submit a new fee, unless the Resource Planning Committee determines otherwise.
7. Other people can also attend the hearing to testify for or against the petition request.
8. The Resource Planning Committee will consider the evidence presented and will most likely make a decision that same day at a business meeting after the hearing(s). If the case hearings are lengthy or if additional information is needed, it is possible that the decision could be tabled to a later date.
9. The Resource Planning Committee will recommend approval, denial or a modified version of the request. Within a few days after the hearing and meeting, the Door County Land Use Services Department will send the applicant a copy of the Resource Planning Committee's recommendation along with information regarding the date/time that the rezoning will be on the county board meeting agenda (it could be close to one month after the hearing, depending on timing).
10. The County Board will make a final decision and within a few days after county board, the Door County Planning Department will send a letter notifying the applicant of the final decision and the effective date (immediate or 40 day delay).

RESUBMISSION

A petition for zoning amendment that has been heard and decided shall not be eligible to be resubmitted during the 6 months following final action by the Door County Board of Supervisors. The 6 month period may be waived by the Resource Planning Committee provided that the petitioner submits a written report identifying how the new zoning amendment petition differs substantially from the previous petition or identifying substantial new evidence that will be offered and provided that the Resource Planning Committee votes by simple majority that the changes or new evidence would be of such significance that the Door County Board of Supervisors might consider changing the previous decision.

Garbage Services (10/20/21 motion)

8/10/21 Larson property settlement from Village	\$115,534.00	
10/7/2021 WWTP settlement from Village	\$250,000.00	
End of year 2021		\$365,534.00

Approved	Property Address	Owner Name	Max Occupancy	POWTS Design Capacity	DATCP	DCTZ	Insured	Payment	Notes
	11772 Humbug Rd	Terry Brenner	4	2 BDRM	YES	YES	YES	YES	All application requirements met
	12733 Hwy 42	Charles Voight	4	HOLDING TANK	YES	YES	YES	YES	All application requirements met
	1900 Hillside Dr	Cory/David Erickson	8	6 BDRM	YES	YES	YES	YES	All application requirements met
	12717 Kenosha Dr	Nick/Michelle Backes	12	HOLDING TANK	sent	YES	YES	YES	Missing application items
	1938 Hillside Dr	Chris/Cathy Fox	12	3 BDRM	YES	YES	YES	YES	2/11/22 called/emailed to lower advertising occupancy
	271 Hwy 42	Kevin/Anna Geurts	6	3 BDRM	YES	sent	YES	YES	Missing application items