

# Town of Gibraltar

P.O. Box 850 • Fish Creek, WI 54212

Representative Garey Bies  
P.O. Box 8952  
Madison, Wi. 53708-8952

12-5-03

Dear Representative Bies,

Re: AB 628, property tax exempt  
Status for the Penin-  
sula Players Theater  
Foundation

The Town Board of the Town of Gibraltar(Door County) met in open session on December 3, 2003 and considered a request by the Peninsula Players Theater Foundation to support their efforts to gain a property exempt status via state statute. The Town Board voted to officially endorse and support their request.

The Town of Gibraltar is fortunate to have oldest professional resident Summer theater in the nation located here. The theater adds greatly to our cultural traditions and is a continuing resource to our residents and visitors alike. The Town is concerned that the theater would not be able to sustain their high quality programs without property tax relief, let alone be able to grow them.

Do not hesitate to call upon the Town of Gibraltar for further efforts to support the passage of your bill.

With best regards,

  
Merrell P. Runquist  
Town Chairman,  
Town of Gibraltar

Cc: Sharon Kellner, CTA, file

Tax exemptions  
Mtg. on the  
11/19.  
Would like  
a P.H



DOOR COUNTY

Resolution No. 116-03
IN SUPPORT OF 2003 ASSEMBLY BILL 628 AND
2003 SENATE BILL 295

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members table with columns: Name, Aye, Nay, Exc. Rows include Anderson, Austad, Bridenbagen, Crockner-Macmillin, Duquaine, Englebert, Fisher, Hilbarbeck, Jarman, Kuhns, Liebe, Mann, Most, Mulliken, Neimas, Olsen, Runquist, Ryan, Sacotte, Swel, Virlee.

1 WHEREAS, Under current law, the property owned by a
2 nonprofit organization that operates a theater company is exempt
3 from the property tax, if the property includes one or more
4 buildings that are listed on the National Register of Historic Places
5 and one or more theaters that have a total seating capacity of at
6 least 800 persons; and
7
8 WHEREAS, Under these bills, the property owned by a
9 nonprofit organization that operates an outdoor theater is exempt
10 from the property tax, if the organization's federal income tax-
11 exempt status is confirmed by a determination letter issued by the
12 Internal Revenue Service no later than July 31, 1969 and the
13 property includes one or more outdoor theaters that have a total
14 seating capacity of at least 400 persons; and
15
16 WHEREAS, Peninsula Players Theatre has requested that
17 the County of Door go on record in support of these bills.
18
19 NOW, THEREFORE, BE IT RESOLVED, That the Door
20 County Board of Supervisors does hereby support 2003 Assembly
21 Bill 628 and 2003 Senate Bill 295.
22
23 BE IT FURTHER RESOLVED, That a copy of this resolution
24 be forwarded to Governor Doyle, Senator Alan Lasee, Assembly
25 Representative Garey Bies, and the Wisconsin Counties
26 Association for their immediate attention.
27
28

BOARD ACTION
Vote Majority Vote of a Quorum
Required:
Motion to Approve Adopted [X]
1st [Signature] Deleted
2nd [Signature]
No: Yes: Exc:

SUBMITTED BY:
FINANCE COMMITTEE

[Signature] Daniel Austad., Chairman
[Signature] David Englebert
[Signature] Kenneth Fisher
[Signature] Tom Olsen
[Signature] Tim Duquaine

Reviewed by: [Signature] Corp. Counsel
Reviewed by: [Signature] Administrator
FISCAL IMPACT: There is no fiscal impact with the adoption of this resolution.

Certification:
I, Nancy A. Bernmann, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 23rd day of December, 2003 by the Door County Board of Supervisors.
Nancy A. Bernmann
County Clerk, Door County

**TOWN OF GIBRALTAR  
REGULAR MONTHLY MEETING  
WEDNESDAY, DECEMBER 3, 2003  
7:00 P.M.  
GIBRALTAR COMMUNITY CENTER**

APPROVAL PENDING

**CALL TO ORDER:** The regular monthly meeting of the Gibraltar Town Board was called to order by Merrell Runquist, chairman at 7:00 p.m.

Board members present were Merrell Runquist, Richard Skare, Myrv Somerhalder, and Brian Merkel. Mike Burda was absent.

It was moved by Somerhalder and seconded by Merkel to approve the minutes of November 5<sup>th</sup> meeting. Motion carried unanimously.

It was moved by Merkel and seconded by Somerhalder to approve the minutes of November 19<sup>th</sup> meeting. Motion carried unanimously.

**COMMITTEE REPORTS:**

**Parks and Lands:** Andrea Kinsey-Jauquet reported the trees have been planted at Fish Creek Park and Clark Park. The solution is being sought regarding the glare from the streetlights. The Fish Creek Park brochure is being finalized. There was a general consensus of the Parks and Lands Committee that the plaque for the Schreiber Garden would be placed in the garden but more information was needed regarding the plaque. Runquist directed the Parks and Lands Committee to finalize information for this project.

**Ordinances:** Kellner received a complaint regarding neon signs at a business in Fish Creek, which was referred to the Planning Department. No response has been received from the Planning Department yet. Skare reported a realtor would like to have the town board review the overlay regarding movable signs for open houses. Merkel received a complaint regarding a sign for the sale of Christmas trees he believes is on town property at the top of little Fish Creek Hill. This complaint will be referred to the Planning Department.

**First Responders:** Jon Stahl reported 6 calls this month bringing the yearly total to 107 calls. Stahl reported new rechargeable batteries were purchased for the defibs. The snowmobiles have been tuned up for the season. A request for a new snowmobile trailer will be on next month's agenda as the present trailer is too small.

**Airport:** Myrv Somerhalder reported the hangar lease was sent to the State Aeronautics Board for review. Four applications have been received for part time summer help for next year. These will be reviewed before next spring.

**Dock:** Verle Utzinger reported the slip and mooring renewal letters have been mailed. One boat is still in the water at the dock. The maintenance department has installed the bubbler system. The floating docks have been removed and Utzinger thanked Tim and John for a job well done.

**Fire Department:** Dan Stahl reported 10 calls this past month. Training sessions were this past month at the Spike Horn Camp in Baileys Harbor, which proved to be good practice in making vent holes, etc.

**Noble House:** No report for the Noble House this month.

**Watershed:** Jim Jauquet reported that Watershed Committee completed their final three tests for this year and will resume testing in March or April of next year. Jauquet reported they're hoping to lower the number of tests but the harbor testing will continue.

**Law Enforcement:** Brian Merkel reported new tires have been installed on the squad. The old tires had some life left and will be put back on during the summer of next year to use them up.

**Planning:** Tom Birmingham reported the Planning Commission has adopted the Comprehensive Plan by resolution and has scheduled a special joint meeting with the Gibraltar Town Board to present the plan.

**Clerk's Report:** Kellner reported there were 12 meetings this past month. The Gibraltar Newsletter was sent out last week. Also sent out were the tax bills. Kellner reported that terms for Somerhalder and Merkel supervisor positions are up for renewal and nomination papers are available in the Town Office.

**Fire Station Committee:** Dick Skare reported the Fire Station Committee has spent time with the Fire Department to obtain needs for the Fire Station such as the number of bays, ceiling heights, meeting rooms, storage rooms, impervious surface and a possible helipad. The next meeting is scheduled for Monday, January 12<sup>th</sup> at 9:00 a.m.

**County Board Report:** Runquist reported the County Board had a meeting on Tuesday before Thanksgiving. The Horseshoe Bay Marina issue has not come back with a recommendation from the Parks and Lands Committee. Site Plan Review was going to be a public hearing but is postponed until possibly January. Final touches are being added to the Land Division Ordinance.

**Chair Report:** Runquist reported the town has accepted the resignation of Paul Woerfel from the Planning Commission. Runquist will be appointing a replacement on the Planning Commission.

#### **AGENDA ITEMS:**

**Tax Exemption – Peninsula Players Theatre Foundation:** Digger DeGroot, Tom McKenzie, Jerry Zaug and Ted Laitner presented their request for legislation to be passed as Assembly Bill AB 628 and Senate Bill 295 for tax exemption theatres. Mr. McKenzie explained the history of the Peninsula Player land and the procedures they have tried to lower taxes in previous years. Assessor Dave Dorschner stated this is a unique property for assessing the value of the land in regards to the covenants on the land and the fact that it's a theatre. Runquist was under the understanding that Bies needed the approval of all municipalities to complete this legislative action. Digger had the understanding that they only needed to have the approval of the town board for Garey Bies. Zaug did speak with Andy Coulson who supported this legislative action. McKenzie stated that Peninsula Players is a cultural and educational entity that can benefit all the citizens of Door County. Assessor Dave Dorschner reported Peninsula Players is tax exempt so persons can make donations to them and receive a tax deduction; it does not meet the state requirements for property tax exemption. Several persons in the audience expressed support for the tax exemption status for the Peninsula Players Theatre. It was moved by Skare and seconded by Runquist to support the Peninsula Players Theatre Foundation in the legislative attempt at tax-exempt status. Motion carried with two in favor, one against, and Runquist abstained.

**Stream Monitoring Award:** Nancy Sargent and Jave Hughes attended a conference in Milwaukee to accept the Stream Monitoring Award this past month and reported on this conference. Nancy and Jave presented this award to the Gibraltar Town Board who thanked them for representing the town for this award and also the Fish Creek Watershed Committee for all their conscientious work.

**Assessor's Contract:** The Town Board reviewed the Revaluation Contract with Dave Dorschner of Dorschner Assessment Services. It was moved by Merkel and seconded by Skare to approve the Revaluation Contract as amended and have the chairman sign the contracts. Motion carried unanimously.

**Fish Creek Civic Association – Temporary Class "B" Beer and "Class B" Wine License:** It was moved by Skare and seconded by Somerhalder to approve the Temporary License to the Fish Creek Civic Association for the Fish Creek Winter Games for February 7, 2004. Motion carried unanimously.

**Length of Service Award Requirements and Representative:** Runquist explained the consensus of the joint meeting this past month was to award \$261 for each qualified employee for the year 2003 and buy back one year for each qualified employee at \$100 in the Length of Service Award Program. The firefighter or first responder must obtain a total of 25 points during a calendar year to be eligible. The points are accumulated the following ways: One point for each Mid-Door emergency response attended, one point for each individual monthly station meeting attended, two points for each Mid-Door monthly training meeting attended, one point for each daily class session attended less than four hours duration, two points for each daily class session attended over four hours duration, and two points if a daily class session less than four hours duration attended falls during a Mid-Door monthly training meeting. It was moved by Skare and seconded by Somerhalder to adopt these requirements and appoint Merrell Runquist as the Gibraltar representative for the administrative committee for the LOSA Program. Motion carried unanimously.

**Wagon Trail Resort – “Campground/Trailer Camps” in RC Zoning:** Wagon Trail Resort is proposing a text amendment to establish “Campgrounds/Trailer Camps” as a conditional use in the RC zoning district. It was moved by Merkel and seconded by Somerhalder to oppose this proposed text amendment. Motion carried unanimously.

**Transportation Aids for Roads:** Runquist reported this situation was referred to the town attorney who has been in contact with the Wisconsin Department of Transportation. No response has been received at this time. It was moved by Merkel and seconded by Somerhalder to authorize Mr. Dahl to file an objection with the Wisconsin Department of Transportation regarding this issue. Motion carried unanimously.

**Payment of Bills:** It was moved by Merkel and seconded by Skare to approve the payment of bills as presented. Motion carried unanimously.

**Adjourn:** It was moved by Skare and seconded by Merkel to adjourn. Motion carried and the meeting adjourned at 9:27 p.m.

Respectfully submitted,

Sharon Kellner, CMC  
Clerk-Treasurer-Administrator

**Halverson, Vicky**

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**From:** Nowlan, Andrew  
**Sent:** Wednesday, January 14, 2004 3:21 PM  
**To:** Halverson, Vicky; Ford, William  
**Subject:** FW: Sturgeon Bay TIF Bill

Vicky, Bill,

Got this note from our Sturgeon Bay city administrator regarding the SB TIF bill and SB 305. Is his assessment correct regarding the two year extension? I assume that if SB 305 is to become law, it will happen before September...???

Thanks,

Andrew Nowlan  
Research Assistant  
Office of Rep. Garey Bies

-----Original Message-----

**From:** Jay Krauss [mailto:cityadministrator@sturgeonbaywi.org]  
**Sent:** Wednesday, January 14, 2004 2:17 PM  
**To:** Nowlan, Andrew  
**Subject:** Re: Sturgeon Bay TIF Bill

Andrew,

I have reviewed SB 305. While it contains some positive TIF changes, it does not appear to address Sturgeon Bay's request to extend the period to allocate tax increments from 27 years to 29 years. This need is critical to our waterfront redevelopment TID #2 which is experiencing financial difficulties, but has opportunity to close out in a positive manner if given more time.

Additionally, the Sturgeon Bay TID#2 is running into some critical time constraints to expend funds. Currently the city only has until September 7, 2004 to expend funds. This deadline does not meet the city's needs since it is virtually impossible to approve development plans, engineer the project, and expend funds within this period.

Garey's support to get action taken to support the city on this is significant. Please advise whether anything can be done to address our specific needs and move our issue forward.

Thanks,

Jay

----- Original Message -----

**From:** Nowlan, Andrew  
**To:** 'Jay Krauss'  
**Sent:** Tuesday, January 13, 2004 9:42 AM  
**Subject:** RE: Sturgeon Bay TIF Bill

Hi Jay:

The update is that the Sturgeon Bay TIF bill is on hold in the Ways & Means Committee pending action on Senate Bill 305 which makes a major overhaul to the entire TIF program. The Chair of the Ways & Means Committee has told me that SB 305 (which you can look up on the web if you want some light reading!) will cover all that is contained in the Sturgeon Bay TIF bill. SB 305 has already passed the Senate and is scheduled for floor action in the Assembly next week. From there it will go to the Governor.

01/14/2004

I would have preferred the Ways & Means Committee to have moved the Sturgeon Bay TIF bill through the legislative process while SB 305 was being moved, but the Chair chose not to do this with your city's bill or any of the other TIF bills within the committee.

Hope this helps.

Andrew Nowlan  
Research Assistant  
Office of Rep. Garey Bies

-----Original Message-----

**From:** Jay Krauss [mailto:cityadministrator@sturgeonbaywi.org]

**Sent:** Wednesday, January 07, 2004 12:02 PM

**To:** andrew.Nowlan@legis.state.wi.us

**Subject:** Sturgeon Bay TIF Bill

Andrew.

Any update on where our TIF bill is?

Thanks, Jay



# John Gard

Speaker of the Assembly

March 5, 2004

Mr. Patrick Fuller  
Chief Clerk  
Wisconsin State Assembly  
Room 208, Risser Justice Center  
17 West Main Street  
Madison, Wisconsin 53708

Dear Patrick:

Pursuant to Assembly Rule 42(3)(c), I am withdrawing AB 628 from the Assembly Committee on Ways & Means and re-referring it to the Assembly Committee on Rules. I have the consent of Representative Michael Lehman chairman of the Assembly Committee on Ways & Means, to take this action.

Please call Ellen Nowak of my office if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "John G. Gard". The signature is written in a cursive style with a large initial "J".

John G. Gard  
Speaker

JGG:een

cc: Representative Garey Bies  
Representative Mickey Lehman