

CITY OF BAYFIELD HARBOR COMMISSION

Minutes of September 27, 2023, 3:30 p.m.

Call to Order – Roll Call:

Chairman Dougherty called the meeting to order at 3:30 p.m. at the Bayfield City Hall

Present: Bauer, Dougherty, Jensen, Shrider (3: 55p.m.), and Zawislak

City Reps: Harbormaster (HM) Hays, Clerk Hoopman, PWD Kovachevich, Councilor Bland and Mayor Ringberg

Others: Craig Skaaden, William and Doreen Johnson -BD Marine, Charlie Jarvis, Jon Aamodt-Northland Consulting Eng, and Shannon Mager-AICS

Review/Approve Agenda:

Bauer/Jensen made a motion to approve the agenda with the understanding Marina #5 – USTs would be moved to top of list. Carried.

Review/Accept meeting minutes of September 11, 2023:

Zawislak/Jensen moved to approve the minutes as presented. Carried.

Public Input on Agenda Items: None.

City Dock

1. Apostle Islands Cruise Service Lease / Update

Chairman Dougherty informed the Commission he met with the AICS about the proposed five-year lease. He reminded them about the understanding the lease rate would be held at \$75.00/ft. The following was discussed:

- a. Adding a 2-year exit notice requirement.
- b. Provision for automatic renewals. If yes, what mechanism would there be for seeking a percentage or CPI Increase? Other?
- c. After the FP renovation project, could both AICS boats be moored between FP# and FP#6. *(it was noted the area would not be wide enough).*
- d. Would the HC be willing to waive the passenger fee for donated/comped seats?
Is this equitable to others paying the Passenger Fee? Should there be a cap? How do others handle this?

After the HC has a little more time to consider these ideas, it was hoped they could be incorporated into the proposed lease and then it could be reviewed and amended by Attorney Lindsay as needed/required.

2. Finger Pier (FP) Project Updates –Jon Aamodt,PE - Northland Consulting Engineers LLP

Jon Aamodt, Engineer gave an overview of the three options previously noted, and considerable discussion ensued. The following was noted:

- a. FP #6 will be removed.
- b. The proposed new FP furthest westward would be eliminated due to egress and use issues associated with MIFL boats.
- c. FP#6 would be elongated to approximately 50' and moved westward approximately 6' to make the berthing area between #1 and #2 wider.
- d. FP#5 would be elongated to 60'.
- e. The width of FP#1 and FP#6 would both be left at 6'. FP#2-FP#5 would be reduced to 4' to increase the overall berthing areas.
- f. Cal Linehan, MIFL will provide an arial photo showing the boat in the slip so the HC can better determine how long, and how far west FP#1 can be.
- g. The commission agreed the construction should be the 20" concrete filled steel pile driven to 25'-30' option, which make the most financial sense. They further understood this will require the slips to be bubbled.

- h. The Commission would like an updated plan and cost comparison information before making a final decision. Aamodt will revise the drawings accordingly and provide a cost opinion.
 - i. The Commission understands the project needs to get scheduled and done; the existing piers are failing. It is likely the work will be done next Fall, but we should provide an option for Spring work in the bid documents.
3. **Public Works Director Report: Issues/Concerns/Updates:** Nothing was reported.

Marina

1. **Underground Storage Tank Insurance / Replacement Update**

Terrible insurance was secured. We have a \$1,000,000 with a \$250,000 deductible and replacement of tanks is excluded. Furthermore, the premium is fully earned (no refund for cancellation). We were led down this path by escalating insurance costs which we were told were due to the age of the tanks and then being dropped by our carrier when mentioning replacement. Some discussion ensued on replacing the tanks and the options for above and underground. Hoopman will provide the information she received and the proposal from NW Petroleum to assist with the bid process. It was noted the tanks are fully operations, they are tested regularly and there are no known issues.

2. **2024 Marina Management / Organization/Operations**

a. **E-Mail from BD Marine:** Equipment, Fuel and Office Winterization

Equipment: It was agreed HM Hays, Chairman Dougherty and Operator Peterson would meet on Monday at 10:00 a.m. to review the list of equipment provided. The equipment was previously seen by Chairman Dougherty and Commissioner Shrider who expressed interest in some of the items. In the e-mail from BD Marine, they asked for a firm commitment by October 15, 2023, or sooner. The Commission discussed setting a special meeting date, but due to some conflicts it was determined they would go into closed session today to discuss the rate that could be negotiated.

Fuel: Shrider/Zawislak made a motion to purchase the fuel remaining in the tanks with the understanding it would be at BD Marine's purchase price, and they will do their best to reduce the amount that is left to a level they have normally done in the past (around 400 gallons). Chairman Dougherty asked for a friendly amendment for this to be contingent upon the removal of the abandoned "Cassie K." It was not accepted, but all agree, this issue and others need resolution. Carried.

It was agreed the Harbor Commission should ask Attorney Lindsay about how to manage these kinds of outstanding items and to create an agreement/closing document for this purpose.

Office Winterization: The Commission would like Operator Peterson to winterize the office as normal, but asked if HM Hays could be included so he could see the process. Operator Peterson agreed.

b. **Equipment and Supply/Materials Purchases**

HM Hays noted he has been working with Jon Kukuk and all three pieces of equipment have been secured: Carry Deck Crane, Aircraft Tug, and the Telehandler. All within the original budget of \$100,000. Good job!

c. **Washington Avenue Sand Pit Area clean up**

The area has been cleaned up, and photos were provided. Looks great!

d. Other Position Posting/Updates

HM Hays and Hoopman are working on getting the remaining positions posted. The goal is to do so ASAP.

e. Short-Term Rental Policy / Correspondence from T. Ebert

More information is needed on whether this practice should continue is needed. This will be put on next month's agenda for further consideration.

f. Marina Customer Information Update

Hoopman reported that we have received 72 responses of which D. Weeks has entered into a database for the HC. The second letter was mailed on September 19 that updates boaters on the what's next and reminding the to please fill out the form if they haven't done so already. Shrider noted frequent messages should begin to be sent out using the e-mails collected to date.

g. To-do List / Other

Informational, no action required. Hoopman commented on the items added.

3. Marina Lessee – August Fees Report

Hoopman noted she added the 2022 column for comparison. It shows the revenues are down slightly from last year. Informational, no action required.

4. Marina Lessee - Issues/Concerns/Updates: None reported.

5. Public Works Director Report: Issues/Concerns/Updates: None reported.

L.E. Building-Slip/Fishing Pier/Boat Ramp

1. Public Works Director Report: Issues/Concerns/Updates: None reported.

Other/ Business/Concerns

1. 2024 Rates: The HC discussed increasing the City Dock Transient Rates and allowing the HM to negotiate the rate for the LE Boathouse. Hoping the HM has time to review and comment on the rate structure before final approval by them.

2. Schedule Next Meeting(s): November 6 and December 4, 2023, 3:30 p.m.

Closed Session:

Shrider/Bauer made a motion to convene into closed session pursuant to Section 19.85(1)(e) – Competitive or Bargaining Reasons: to discuss and negotiate equipment and supply purchases; specifically due to the request from BD Marina to let them know what items the HC is interested in by October 15 and setting a value for what the HM and Chairman would be allowed to offer/negotiate. They reserve the right to reconvene into open session to make any decisions on the discussion, to continue with any remaining agenda items or for adjournment purposes. Passed by roll vote as follows: Bauer, Dougherty, Jensen, Shrider, and Zawislak – yes.

All members of the Commission were present. HM Hays, Clerk Hoopman and PWD Kovachevich were also present.

Shrider/Bauer made a motion to reconvene into open session for purposes of adjournment. Passed by roll vote as follows: Bauer, Dougherty, Jensen, Shrider, and Zawislak – yes.

Adjourn: Shrider/Zawislak moved to adjourn. Carried. (6:23 p.m.)

Minutes by Billie L. Hoopman, Clerk