

City of Bayfield Common Council

Bayfield City Hall, 125 South First Street, Bayfield, WI 54814 *715-779-5712

Minutes of Monday, June 11, 2018 – 4:00 pm

Call to Order – Roll Call – Pledge of Allegiance: Mayor Ringberg called the meeting to order at 4:00 p.m. at the Bayfield City Hall followed by roll call and the Pledge of Allegiance.

Present: Nelson, Bryan, Johnson and Mayor Ringberg

Absent: Burkel

Others: David Eades, Bruce Moore, Denise Koch, Lloyd Turner, Marilyn VanSant, Heidi Van Dunk, Heidi Nelson, Diane Nussbaum, Diane Fizell, Bill Peterson, Marion Jonas, Scott and Missy Stevens, Bernice Nixon, Nicole Kelsey, Dan Boucher, Scott and Missy Stevens, Mary Louise Ervine, John Fangman-Police Chief, Tom Kovachevich-PWD, Dionne Johnston-Treasurer and Billie Hoopman-Clerk

Review/Approve Agenda: Johnson/Nelson made a motion to approve the agenda as presented. Carried.

Review/Approve the previous Common Council & Board of Review minutes of May 22, 2018:

Bryan/Nelson moved to place the previous meeting minutes on file. Carried.

Public Input Requested: The Council is exploring the idea of installing solar panels along the South side of Rice Avenue between 4th and 5th Street, North of the Old Courthouse Bldg. Parking lot. Your input is welcome!

The Mayor thanked those present for attending the meeting. He kindly asked that public input be limited to 3 minutes or less.

Bruce Moore – Noted he had some questions on the proposed solar project. He's excited the City is exploring the idea for clean energy. The City's ARB has demonstrated that past project can be aesthetics. He wondered if a solar assessment was done or if a landscaping plan would be part of the discussion. Lastly, he made a bid for our trees... Bayfield is a Tree City we should be looking to replace them in kind.

Denise Koch – She said, she's not very up on the issue, but would like to save our trees. She asked, why can't the panels be on the roof rather than on the ground? Hate to see any tree being cut down. In summary, she's against solar, due to tree cutting.

Lloyd Turner - asked who would benefit from the project. Would the City benefit, or all the users of Bayfield?

Marion Jonas – Noted she came to the meeting to learn more. She went by the area and saw there are trees that should be removed anyway like the poplar trees. She doesn't want to see us lose the maples though.

Heidi Nelson – Told the Council she lives on Rice Avenue and would like to see a rendering of the proposed solar panels. Taking down the trees is a bit disturbing. She urged the Council to look at every option and to make sure this fits into our Historic District Rules and Guidelines.

Dianne Nussbaum – concerned about the trees. Why can't they go on the roof? Will the Parks Service be there long enough to re-coop the cost? She noted she felt there were lots of hoops to jump through to get a building permit and this feels rushed. She urged the Council to spend more time on other options.

Bernice Nixon – Why aren't the panels being put on the roof? She's concerned about the trees and the overall look of the solar panels.

Nicole Kelson– **US GSA** – informed the Council she was present in order to find out more about the potential solar project.

Heidi VanDunk - also said she was present in order to learn more about the potential project.

Marilyn VanSant – Read her written letter dated June 11, 2018 which noted concerns about how this project fits into the City’s Historic Guideline and those listed by the Department of Interior.

Steven and Missy Stevens – Commented they are pro-solar, but anti-tree cutting.

The Council received **e-mails from Chuck Ludwigen, Herbert Japs and Marilyn VanSant**. All were in opposition to moving forward with the project; noting tree cutting, other potential placement options and historic preservation as reasons not to pursue the proposed project.

Public Input on Agenda Items:

Dan Boucher, owner of the AICS was present to discuss the potential increase to his sewer dumping rates. He learned last week the City was looking to increase his rate. The rate was established when the operation only had one boats, now the AICS has five boats total, four that use the dumping mechanism. Boucher has asked for more information on how the price was established. He said they have had more than one boat for the past 33 years. The rate change being proposed is \$675 per vessel. This change increases his fee from \$675 to almost \$2700. He’d like to pay but wants to pay a fair price.

Bill Peterson, AIM Operator, said he pays an even higher rate for his pump outs. He’s being charged \$5.25 per pump out and noted this is even higher per gallon than the AICS. Why?

Agenda

1. Bayfield Chamber and Visitor Bureau 2018 Apple Festival Agreement

Bryan/Nelson moved to approve the 2018 Apple Festival Agreement as presented. Passed by roll call vote as follows: Nelson, Bryan and Johnson – yes.

2. Sidewalk Sale by Merchant Permit Request: Up North, 124 Rittenhouse Ave. - June 23, June 30, July 14, July 28, August 4 and August 18, 2018.

Bryan/Nelson made a motion to approve the Sidewalk Sale Permit Request from Gali Abutbul for the dates of June 23 & 30 2018. The events will be reviewed for compliance before granting any others. VanSant commented that it looks like there is a kiosk there all summer long. Sidewalks are narrow enough with the new street poles. She has found his racks actually direct people to go across the street, rather than down from Second to First Street. The use of the round racks in of concern as they take up more of the sidewalk area. It was clarified there is no cap on the number of permits the Council can approve, it’s on a case by case basis. Motion carried although Johnson opposed.

3. Appointments – Public Works and Courthouse

The Council called for remembrance of Edward Eugene “Gene” Brevold. He has given 19 years to the City’s Courthouse Committee, 8 years to the Public Works Committee and 17 years to the City’s Tree Board. His time and talents will be greatly missed!

Bryan/Johnson made a motion to approve the Mayor’s appointment of Kate Kitchell to the Courthouse Committee and Michael Eldred to the Public Works Committee. Carried.

4. Ordinance #395: Chapter 298: Parks & Recreation

Johnson/Bryan made a motion to commence with the first reading, waive the second and third, and to adopt Ordinance #395 as presented into the Code of the City of Bayfield. It was noted this ordinance creates a permitting process for Special Events and for Picnic Shelters Reservations. Carried by roll call vote: Bryan, Johnson and Nelson – yes.

5. Memorandum of Agreement between the City of Bayfield Parks and Recreation Committee and Bayfield Regional Conservancy

Johnson/Nelson made a motion to take the Parks and Recreation Committee’s recommendation and to approve the MOA between the City and BRC as presented. Kate Kitchell, P&R Members noted this establishes a more defined relationship between the two parties who have already had a successful longstanding working relationship. Passed by roll call vote as follows: Johnson, Nelson and Bryan – yes.

6. **Resolution #536: Fee Schedule**

Discussion ensued on the rates for the AICS and the AIM. Bryan noted the AICS rate pre-dates our current PWD. It is known that a higher level of effluent comes from a marine vessel than a residential household. It's not a comparable figure. Because the Council did not have enough information, they agreed by consensus to table any rate changes at this time.

Some ideas were expressed:

- City could do some sampling on the solids from the AICS
- Check to see if there are any industry standards for Marine Waste
- Consider charging a use fee (gallons) vs. a per boat fee.

Bryan/Nelson made a motion to approve Resolution #536 as presented; with the exception of the change proposed to Ord. 329-2 B (4) Excursion Boat Line and National Park Service Fee. Fees for the new Parks and Recreation's Special Events and Park Shelters were approved. Passed by roll call vote as follows: Bryan, Johnson and Nelson – yes.

7. **Resolution #535: 2018 Budget Amendment #1 Parks and Recreation Committee Request for CIP Funds:**

Bryan/Nelson made a motion to adopt Resolution #535 – 2018 Budget Amendment #1 as presented. The amendment provides \$24,000 to the Parks and Recreation Capital Improvement Projects for completion of Dalrymple Campground's Electrical Upgrade Project. Passed by roll call vote as follows: Nelson, Bryan and Johnson – yes.

8. **Proclamation: Blessing of the Fleet and Safe Boating:**

Informational, no action required.

9. **Project Updates:**

- 2018 Swede Hill Project – 6th Street Paving:** Still waiting to hear when crews will complete the Asphalt Repair Work.
- Seal Coat/Crack Sealing Project:** Bids are due July 5, 2018.
- Waterfront Walk Turning Point Project: Project Update(s):** Work has finally started. Luppino is doing a great job!
- Old Jail – Bayfield Heritage Association: Project Update(s):** Marilyn VanSant reported they have raised \$22,000 toward their goal of \$30,000. Jeff Boutin will start the roof work in the next week or two. The Council thanked Marilyn and the efforts of BHA to save and protect the Old Jail.
- 2018 Comprehensive Plan Update:** Work Session tomorrow. The Mayor said he remain hopeful this project will be wrapped up by the end of the year.
- Solar Project(s):**
 - **CheqBay Renewables: Energy Innovation Grant Program (EIGP).**
The Mayor informed those present how we got to where we are noting a solar assessment was done which identified the Courthouse and the GBWWTP as our largest energy consumers. Due to the courtyard trees, panels on the roof would not work at the Courthouse. We were notified in May 2018 of the Energy Innovation Grant which has an application deadline of June 2018.

Bryan began by noting he is no longer supportive of putting in 13' solar panels in the area proposed. The Mayor suggested we ask Bill Bailey to go forward with the grant, so we can see the design. If they could reconfigure it so it is lower, Bryan would reconsider. He then asked how the historic preservation guidelines align with sustainability.

Tom Kovachevich, PWD, informed all present that two Maple Trees that have issues have to be removed in the Courthouse Lawn. Please note, this does not have anything to do with solar!

Dianne Nussbaum asked if we could tighten up the building so we don't use so much energy. It was

noted that efforts have been made and we'll continue to look for other cost saving energy saving mechanisms.

Marilyn VanSant questioned if we might be risking our national historic district designation. As noted in her written comments, the Department of Interior has a list of guidelines that should be reviewed.

Johnson/Bryan made a motion to move forward with the Energy Innovation Grant Program (EIGP) application; with the understanding they could decide at a later time to back out if the parameters are such that we don't feel it's in the best interest of the City. There is interest in moving forward in order to get a better design so area residents, tenants, etc. could get a better idea of what was being proposed and the true impact to them. Carried.

- **Xcel Energy: Solar Connect Community Info.**

The Council received an e-mail and spreadsheet from Jeff Klaver, Xcel Energy showing the financial breakdown of and investment of \$49,600. This equates to approximately 31 kw. Hoopman suggested the Council could consider using the 2017-2018 Clean It Green It money (\$10,000), and/or borrowing funds from themselves for this endeavor. That would only make the rate of return even better than what's shown on the spreadsheet. Bryan/Johnson made a motion to move forward with Xcel's proposal, but to seek the calculations without borrowing first. Carried.

g. **Green Tier Legacy Community Alliance for Health Project:** Nothing new to report.

h. **Pavilion Deck Repair: Engineering Update:** Nothing new to report.

10. **Mayor's Report(s)**

The Mayor reminded the Council and those present about the upcoming Fire Department and EMS Open House – Saturday, June 16 from 11-2 p.m. The Mayor noted the good work they do for us every day and how their services save the taxpayers a lot of money. It was noted that both departments have new personnel.

He informed the Council he recently met with Jenna Gallagher, who is working with Bayfield County on an intergenerational housing idea. This is a program that allows a younger person to move in with somebody in exchange for services. Background and matching will be worked on.

He has a meeting tomorrow with the Governor's Rep at 10:00 a.m. Housing and jobs will be discussed; unfortunately, this is a universal issue.

Review/Place on File Reports from Committees, Commission & Boards:

Ambulance: Minutes of May 17, 2018

Architectural Review Board: Minutes of April 23 and May 29, 2018

Courthouse: Notes from May 31, 2018

Finance: Minutes of May 22, 2018

Fire Department: Minutes of May 7 and June 4, 2018

GBWWTPC: Minutes of June 5, 2018

Harbor: Minutes of June 4, 2018

Parks and Rec.: Minutes of June 5, 2018

Planning: Minutes of May 30, 2018

Police Department: May 2018 Report

Public Works: Minutes of May 11, 2018

Zoning Board of Appeals: Minutes of May 23, 2018

Johnson/Nelson made a motion to approve the above minutes and reports in a block format. Carried.

Correspondence: Apostle Island Area Community Fund Celebration – July 26 2018
Informational, no action needed or required.

Treasurer: May 2018 Voucher Payments, Fund Summary, & Treasurer's Reports & Budgets

Bryan/Nelson moved to approve the May 2018 Payments Report, and to place the May Treasurer's Report and

Budgets on file. Passed by roll call vote as follows: Nelson, Bryan and Johnson – yes.

Set Next meeting(s): July 9 & August 13, 2018, 4 p.m. The Council will discuss alternative dates as requested by Councilor Burkel at a future meeting. Reviewing and approving permits, bids, staff time/scheduling etc. were reasons the July 9th date was kept as is.

Future Marina Lease Discussion (Current Lease Exp. 12/31/18)

Bryan/Johnson moved to convene into closed session pursuant to Section 19.85(1)(e). The lease between the City of Bayfield/Harbor Commission and the Apostle Islands Marina is due to expire on December 31, 2018 and the City Council will be updated on future lease options, opportunities and negotiation strategies. 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. Carried; all ayes.

Johnson/Bryan made a motion to reconvene into open session for purpose of adjournment. Carried. (5:40 p.m.)

Adjournment: Bryan/Johnson motioned to adjourn. Carried. (5:40 p.m.)