

**CITY OF BAYFIELD HARBOR COMMISSION NOTICE OF PUBLIC MEETING**  
**June 23, 2021, 4 p.m.**

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Please join this meeting from your computer, tablet or smartphone.

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**AGENDA**

- Call to Order - Roll Call
- Approve Agenda
- Public Input on Agenda Items
- Review/Approve Previous Meeting minutes of June 7 and 15, 2021

Agenda:

1. Apostle Islands Marina Seawall and Shoreline Project
  - a. Review Bid Specifications
  - b. Budget/Grant Updates
  - c. Anchor Rock / Utility Lines to Madeline Island
2. Next Meeting(s): August 5, 2021, 4 p.m.

Adjourn

**CITY OF BAYFIELD HARBOR COMMISSION**  
**Minutes of June 7, 2021, 4 p.m.**

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**Call to Order - Roll Call:** Chairman Dougherty called the meeting to order at 4 p.m.

**Present:** Bryan, Dougherty, Shrider and Zawislak, and Bauer (4:40 p.m. )

**Others:** Craig Skadden, Clerk Hoopman, Mayor Ringberg, PWD Kovachevich, Operator Peterson, Bryce Albrecht, Bruce Lunde and Krista Summerfeldt – MSA Engineering

**Approve Agenda:** Zawislak/Bryan moved to approve the agenda as presented. Carried.

**Review/Approve Minutes from April 29, May 3 and 13, 2021:** Shrider/Zawislak made a motion to approve the minutes listed above. Carried; Bryan abstained.

**Public Input on Agenda Items:** None.

**Marina**

**1. Breakwater and Shoreline Improvement Project Updates**

a. **Project Expense Report :** Shows to-date project expenses are \$260,440.99 and we received \$122,853.48 in Grant Funding offsetting the overall cost. Hoopman cautioned the Committee on the amount they have already spent, and the estimated City share of the project. She noted project estimates last fall were \$3 million and we are now at \$5.185 million.

b. **Bruce Lunde, Project Budget, Timeline, Bidding, etc.**

Lunde indicated he would have the bid specifications to us by the end of next week. He would probably be seeking final approval soon after so the bids could be posted around the first week of July.

Dougherty noted his frustration on not being able to compare previous budgets to this version so he could better evaluate how the costs have increased. Lunde indicated the main reasons the project cost increased was due to additional rock needed and steel and lumber prices. Concerns were expressed about the best timing to bid the project and if waiting might allow for material prices to go back down. Lunde said it costs approximately \$9,500 to move forward with the bidding phase. Most felt it was worthwhile to go forward and bid the project.

**2. Marina Lessee: April Fees Report**

Informational. Operator Peterson noted all is going well. Busy time of year and their occupancy rate is up. He informed the Commission about new sink holes that popped up after the last storms. PWD Kovachevich said he was unaware but has some rock and will take care of those areas. Dougherty inquired about plans to possibility lease space from Bodin's for boat storage if necessary, during the project. Peterson has inquired about this but does not feel it will be needed as the boats could be reconfigured to make the needed space.

**3. Marina Lessee: Issues/Concerns/Updates:** None.

4. **Public Works Director Report: Issues/Concerns/Updates:** PWD Kovachevich asked for information on the mast. Operator Peterson noted it was going to be picked up today for repairs and once completed it would have to be reassembled.

#### City Dock

1. **Race Week – July 2021**

Shrider/Bauer moved to approve the Race Week agreement as presented in the annual amount of \$2500.00 (less \$300.00 revenue from last year). Passed by voice vote, all ayes.

2. **Special Dockage Requests – Research Vessels, other**

Hoopman was instructed vessels docking on the outside wall would be allowed at no fee. Those looking to moor on the north side need to pay or get prior approval.

3. **Viking Cruises – Updates/Facility Security Plan**

A meeting has been scheduled for June 15, 2021, at 8 a.m. to discuss the plan with US Coast Guard. A copy of the Facility Regulations (33.CFR Part 105) was included in the packet for preparation of this meeting.

4. **Concerns/Issues:**

- a. **AICS Passengers –**

- The social distancing dots for the AICS would be removed. Changing the line up of passengers would be difficult.
- According to the lease agreements no gear is to be left on the dock and our attendant will be asked to help monitor the situation. Concerns have been taken under advisement and the dock will be monitored better this season now that our attendant is back.
- Shrider also recommended we consider adding the following to our lease agreements – “rules are subject to change and notice will be provided as needed.”

- b. **Cleats** – PWD Kovachevich was asked to meet with the requestor about their ideas for additional cleats – how many, where, etc. and work out a plan to possibly add them.

- c. **Finger Pier Noise** – PWD Kovachevich verified there is a clanging in the finger pier. The piers are deteriorating. The PWD asked Bauer if he thought it would be safe to dive in the area to check it out. Bauer said he will take a look.

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

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

1. **True North Sailing – Sign Request:** Bryan/Shrider moved to approve the sign request as submitted. Carried.

2. **Boat Ramp – Grants/Funding Updates:** Hoopman told the Commission:

- She submitted the DNR Recreational Boating Aid Grant application as requested which would provide 50% funding.

- She applied to Enbridge's Community Fund for 100% funding and our application is being recommended for funding. The Commission was asked if they were in support of this and all agreed the funding would be terrific. If funded, Hoopman was instructed to review agreement for awareness on what grant requirements there might be.
  
  - She applied for a DNR General Permit to do this work.
- 3. Solar Vessel cleaning station from the NPS:** In summary, this unit is being purchased by the NPS and will be a mobile unit that is shared by Washburn, Bayfield, Cornucopia and Sand Bay. It's free and requires zero maintenance by us. It will not replace our current water cleaning station. Good for the bay and our boaters! We need to consider where to locate the unit when it is our turn.
- 4. Public Works Director Report: Issues/Concerns/Updates:** None

**Other Business/Concerns**

- 1. Schedule Next Meeting(s):** June 15 and August 5, 2021

Bryan left the meeting.

- 2. Marina Lease Discussion (Current Lease Exp. 12/31/23):**

Shrider moved to convene into closed session pursuant to Section 19.85(1)(e) and (g) The lease between the City of Bayfield and the Apostle Islands Marina is due to expire on December 31, 2023 and the Harbor Commission would like to begin discussing future lease options, opportunities, negotiation strategies, and consider a non-disclosure agreement. 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.

Shrider/Zawislak made a motion to reconvene into open session for purposes of adjournment. Carried.

**Adjourn:** Shrider/Bauer moved to adjourn. Carried. 6:12 p.m.

**Minutes by:** Billie L. Hoopman, Clerk

# CITY OF BAYFIELD HARBOR COMMISSION NOTICE OF PUBLIC MEETING

## Minutes of June 15, 2021, 8 a.m.

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### Call to Order - Roll Call:

Present: Chairman Dougherty, Zawislak, and Bryan

Absent: Bauer, Shrider

Others: Bill Peterson, Bruce Lunde, Keiton Moore and Zackary Cote— US Coast Guard and Kate Ferguson, Duluth Port Authority

### Agenda:

#### 1. To discuss A Facility Security Program at the Bayfield City Dock with representatives from the US Coast Guard. General discussion ensued:

- Since the Coast Guard is the regulatory body, they do not act in an advisory way. They can answer questions, but not necessarily guide us through this process.
- The USCG is willing to come and do a site visit.
- The USCG has an inspection checklist they will share.
- There is not a best practices manual, and we cannot see samples, because they are security based which is confidential.
- Kate Ferguson is from the Duluth Port Authority and is very knowledgeable about what is needed. She is working on their plans and has offered to help answer any questions we might have about the process/and plan.
- Duluth is hiring a firm, "GSSC" to revise their Facility Security Plan and provide the needed security during each visit. We cannot use the same Facility Security Officer as them, due to 33 CFR 105.205 which says the FSO must be within a 50-mile radius.
- The process seems a little backwards, but the City was reminded Viking is not a US based company and they do not know what is required. The idea if we build it, they will come is valid.
- Their arrival would be good for the economy but might come at a price to the City to provide the proper amenities and safety required.
- Kate said, "Viking is a marketing machine", thus, this could be great for Bayfield.
- While there are costs to develop and implement the FSP, the initial costs could (and should) be directly passed along to Viking.
- Duluth, MN will be the port that must provide customs review/clearance.
- Bayfield can benefit from Sault Saint Marie & Duluth being "bookends" offering customs clearance.
- Jones Act – allows for country-to-country cruising, but not US to US.
- Viking Info: they are planning to visit 7 times in 2022, they carry approximately 372 passengers and 250 crewmembers, the ship draws 21' but they have asked for an additional 3' of clearance.
- Keiton Moore, USCG is a Port Security Specialist and is a great resource.

- Membership on the Maritime Security Committee opens the door to apply for future Port Security Grant Funding. Competitive grant, but we cannot apply if we do not participate.
- Bill Peterson, representing himself and the Chamber said he would like to meet with Ted Dougherty about his thoughts. They agreed this would be done later.

**2. RFR Request to drive a vehicle on the city dock: August 7, 2021**

Bryan/Zawislak moved to approve the request as presented. Dougherty explained they would be driving on the dock twice. Once at around 6:45 a.m. to load and then again at around 8:30 a.m. to unload. Carried.

**3. Next Meeting(s): August 5, 2021, 4 p.m.**

There is a special meeting scheduled for 4 p.m. on June 23, 2021, to review the project bid specification. Hoopman said this meeting would have to be virtual as City Hall will be closed due to the flooring project.

**Adjourn:** Zawislak/Bryan moved to adjourn. Carried. 9:22 a.m.

Minutes by Billie L. Hoopman, Clerk

## Billie Hoopman

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**From:** Krista Sommerfeldt <ksommerfeldt@msa-ps.com>  
**Sent:** Wednesday, June 16, 2021 3:58 PM  
**To:** cityclerk@cityofbayfield.com; Bruce Lunde  
**Subject:** RE: Bid Specifications?

Hi Billie –

Use the links below to access the project documents for the Apostle Islands Marina project:

00320024 DRAFT Project Manual 061621.pdf <https://msa.filegenius.com/downloadPublic/hirorcax7l5da4d>  
00320024 Apostle Islands Marian DRAFT 06162021.pdf <https://msa.filegenius.com/downloadPublic/jq2luhteyk6x53p>

Please be sure download and save these files to your system as the links will expire in 14 days. If you have any issues with the download, please let me know so that I can try and get the files to you in a different manner.

Please forward the documents to Ted and the others. (You should be able to share the links above for each of them to access and download the file themselves.)

As you review the documents, we do have the following questions/items that need your input:

1. Does the City have a safety program? If they do, please provide the title and date of the program.
2. The marina operator will be listed as others working on the site contracted by the City and as additional insured. Please provide the official name of the operator and company.
3. The warranty/correction period is for 1 year from substantial completion. Is there any reason the City would want/need a longer period (this would likely cause project costs to increase, though I'm not able to provide an estimate by how much).
4. The liquidated damages is currently listed at \$500/day. Is the City interested/wanting to increase that at all, and if so, to what amount?

If you have questions as you review the documents, please let us know.

Thank you.



**Krista Sommerfeldt, PE (WI)** | Senior Project Engineer

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Baraboo, WI

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