

CITY OF BAYFIELD HARBOR COMMISSION MEETING
Minutes of Monday, June 6, 2016

Chairman Bryan called the meeting to order at 4:00 p.m. at the Bayfield City Hall followed by roll call.

Present: Jim Bryan, Jim Edwards, Michelle Shrider, Eric Fredenberg, and Terry Bauer.

Others: Bryce Albrecht, Mike Radtke, Gary Russell, Bill Peterson, Tom Kovachevich and Billie Hoopman

Approve Agenda: Fredenberg/Edwards moved to approve. Carried.

Approve Minutes from May 2, 2016: Fredenberg/Edwards moved to approve. Shrider abstained. Carried.

AGENDA:

Public Input on Agenda Items: None.

City Dock

1. Madeline Island Ferry Lines –Memorandum of Understanding

The Commission received a written memorandum of understanding for their proposed dock extension. Bryan suggested the Commission get a thorough review before the Commission makes a motion either way.

Some concerns expressed include:

- Bryan said the MOU has an allowance for additional mooring on dock/landing area. The Commission doesn't want dockage on either side so it becomes an infringement in either way.
- We don't currently have a formal site plan or final elevation drawings.
- Bauer noted a clause that reads, will allow minimal transition of concrete OR blacktop at transition on City Dock. Part of the purpose was to get rid of the blacktop area? What is meant by minimal? Radtke said that is the hope, but there will still be some type of transition point to allow for that connection. Would it be comparable to what was there prior to the newest blacktop mound? Russell said one problem is the fluctuating water levels and the grade of the City Dock. Nelson said it won't be like it is now.

Attorney Colleen Daly arrived at 4:07 p.m. Comments include:

- Perpetual Easement – not temporary, it's a forever thing. Like a conveyance.
- Questioned the location of the proposed dock on Block 87?
- Asked for clarification regarding any damage to City property or other private property it's the responsibility of the Ferry Lines? Yes, this is the Commission's understanding and hoped the language conveyed that clearly.

A variety of discussion ensued regarding the location of the extension, property ownership, and thoughts on the proposed MOU:

- In summary all agreed it was complicated and property ownership is not clear.
- Rittenhouse Avenue is a street, and the City has 15' right-of-way (60' in total -30' feet each side of centerline).
- 5B loss of property to others
- No trouble with Attorney Daly working directly with their attorney to make some revisions.
- This draft includes a provision that allows them the right to dredge. May need further clarification on permits needed, when, etc.
- Exclusive vs non-exclusive Pg. 1
- Shrider said with regard to it being a perpetual easement does the Harbor Commission have the authority to approve? No, the document would be forwarded to the City Council for formal action, upon a recommendation by the Commission.

- Permitted Uses #3 – allows invitees to use the dock. Commission seemed to favor private use, versus use by public.
- Will the Commission receive engineered drawings for review? How will the sheet pile line up? Nelson said that information could be provided in the future. Would have to be part of the DNR permit.
- Edwards said the City does own the lake bed; Chapter 16.
- Russell commented there are issues in the Harbor and issues with the relationship to the lots & dock, and whether they should try and repair the lip or extend the dock. They could argue and litigate but trying not to do that and move forward with a MOU.
- Edwards, would like to see a concrete diagram showing the City what will be put in place. Where is the ramp going to be, how high? A conceptual drawing would be helpful.
- Does anyone know when the original ferry landing was built? Maybe around 1966.
- Does this have to be perpetual?
- Fredenberg inquired if there is a need for a change in the transition, can we request the Commission be notified?

2. **Public Works Director:** None.
3. **Issues/concerns/updates:** None.

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

1. Nelson Construction Invoices – Final Billing, Extras & Before/After Photos

The Commission received two bills from Nelson Construction. The first was in the amount of \$36,972.00 (Invoice #13358) the remaining contracted items for the project. The second bill was in the amount of \$11,672.23 (Invoice #13359) for the extras that were provided (sidewalk, additional rock, fill and blacktop) and includes an amount from One Guy Plumbing in the amount of \$4755.53 for the added water line. There was water at the LE slip, but Nelson missed including it in the original proposal.

Extra work was needed around the drain/catch basin, and L.E. walkway is now ADA. Overall the site looks remarkably better.

Fredenberg/Bauer moved to pay the bills totaling \$48,644.23. Carried.

Hoopman expressed concern to the Commission regarding their finances. She said the preliminary 2015 Audit shows they ended with a fund balance deficit of \$1110.89. The Commission may need to consider borrowing this year to cover these project expenses. We will continue to monitor the Commission's budget to see if they have additional revenues in 2016 to cover some of this expense prior to borrowing.

2. Use of LE Dock for Transient Dockage

The Commission was informed that Mick Anderson, who currently has a long term space on the north side of the T on City Dock is currently at the LE Dock in order to make some repairs to his boat. He is expected to be there for a week or two. It has been suggested he consider staying there for the season. Anderson would need to move way to the back in order open up space(s) to the north. This would also leave space for the CG to get in and out.

Edwards/Fredenberg made a motion to extend an offer to Mick Anderson that includes him staying at the LE Slip, South 65' at \$50.00/ft., post the area accordingly (reserved space) and add transient dockage signage & pay box. He would be released from his City Dock lease if he accepts. Carried; all ayes.

3. **Public Works Director:** The LE Project is done. All three spots in the Boat house are rented.
4. **L.E. Slip/Boat House Update:** None.
5. **Issues/concerns/updates:** None.

Commented [C1]:

Marina

1. **Annual Inspection for fuel system.** Since there was a hose leak and repairs were needed the crew sent took care of doing the annual inspection. Peterson said the Harbor Commission pays for the inspection and they will soon receive the report. All was good and we passed.

2. **Marine Areas needing Work - Boat Hoist Area, Concrete Walk on East Dock**
Lessee Peterson was present and he discussed three areas of concern at the marina that need repairs.

1. East Pier Repair (area out by the break wall)
2. Along A Dock
3. Hoist Area

Discussion ensued about the problems that exist, what can be done, expenses, and safety issues.

Fredenberg/Bauer made a motion to spend up to \$7500 and make the necessary repair East Pier (Walkway) Repair as budgeted. Carried.

The City will continue to fill in the areas where needed for now along A Dock.

The Coast Guard upgraded power in mid-May. As a result, approximately a one-foot strip was removed in the hoist area. Peterson asked if the Commission would be interested in repairing a larger area where sinking is present. He suggested a 4' saw cut be done, then gravel compact and asphalt the area. The PWD estimate the costs for this would be approximately \$2000. The US Coast Guard will be paying for the repairs in the Hoist area. No additional work will be done at this time by the Harbor Commission.

3. **Maitland, Singler & Van Vlack – 2015 Harbor Lease Review**

Mark VanVlack, Auditor was hired once again to determine if the City is receiving the rent commensurate with the terms of the lease. A balance of \$2931.88 was due and already paid by the lessee. Fredenberg/Edwards made a motion to pay \$800 to Maitland, Singler & VanVlack for the 2015 Marina Review; half of the amount due. Carried.

4. **Update Public Works Director:** None.

5. **Issues/concerns/updates:**

Lessee Peterson explained to the Commission about the Coast Guards request of exclusive use of a space at the marina. Part of their specifications suggest they need a depth of 10' even though their first request stated only 5'. Anything under 10' causes an alarm to ring in their boats and protocol is they are not allowed to go further. The Commission learned they pay \$9000 for this space and the Coast Guard has upgraded the electric there to a 100-amp service. Peterson is inquiring if the area could be dredged? He felt we might be able to do it from shore with the City's backhoe.

- The PWD thought the area might wash back in after removal.
- Getting rid of the spoils to DNR standards might be a challenge.
- Hoopman will investigate maintenance dredging permits for both the City Dock/Marina Area and the Boat Ramp Area.
- Assuming we have a permit or need to obtain a permit the work could be done, but not at the Commission's expense.

Other Business/Concerns:

1. **Correspondence:** Draft Nearshore Framework for the Great Lakes Available for Comment. Informational, no action required.
2. **Next meeting:** July 5, 2016
3. **Issues/concerns/updates:** None.

Adjourn: Edwards/Fredenberg moved to adjourn. Carried. (5:32 p.m.)