

City of Bayfield Plan Commission

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

Minutes of Monday, June 22, 2015 at 4 p.m.

Call to Order - Roll Call:

Present: Oeltjenbruns (arrived at 4:09 p.m.), Dougherty, Burkel, Hackbarth, Durfey and Mayor MacDonald

Absent: Johnson

Others: George and Nancy Hof, Bruce Hoekstra, David Eades, Win Stephens, Tom Iverson and Peter Skoro (arrived at 5:30 p.m.)

Approve Agenda: Burkel/Hackbarth made a motion to approve the agenda. Carried.

Previous Meeting minutes of May 18, 2015: Dougherty/Hackbarth motioned to approve the minutes as presented. Carried.

Public Input on Agenda Items:

George Hof told the Commission he submitted the Neighborhood Petition Item#2 on the agenda, and he and his wife Nancy sent another letter outlining their concerns. He said we should create an ordinance on the number of boats you can store for commercial purposes. He thanked the Commission for their consideration of the matter.

When asked whether it was the boats or vehicles that was the issue, it was clarified that it was mostly boats, but some issues with vehicles too (some never leave).

Durfey asked about the boats stored, are they the same or different? Mr. Hof said he can't answer definitively, but the pontoon is gone now.

Mayor MacDonald asked Mr. Bruce Hoekstra about a reference made at the previous meeting about the City allowing boat storage in the Commercial district. He clarified there is an ordinance in the Town of Bayfield. Hoekstra further stated this has been an ongoing issue for the past 12 months. The garage built was supposed to house some of the boats, but they aren't using all garage spaces for boat storage, and they have too many to all be stored in the garage. The brown jeep hasn't been moved for 12 months, and most days there are six vehicles parked there in addition to all of the boats.

Nancy Hof is politely asking for help in providing an ordinance that deals with the number of boats, vehicles, and trailers. She commented on a variety of other City Ordinances that regulate Bayfield and said that is why they like Bayfield! She informed the Commission that Peter Georgeson apologized to the Hof's for any trouble they caused after the last meeting. She asked him why they don't rent a space for boat storage and he told her it was too expensive to do so. She felt the business should capitalize enough to pay for boat storage and we should only allow one boat per property. She finished by saying some of the boats are not registered.

Oeltjenbruns arrived at 4:09 p.m.

Durfey questioned those present, are they operating a home occupation? Neighbors felt they were doing boat repair/ maintenance, storage, and possibly buying and selling boats. Are people

coming there to buy boats? The pontoon boat was recently sold a week or two ago. One of the sailboats is at the Boat Launch.

David Eades, the Executive Director of the Chamber of Commerce commented that he felt the meeting was out of order and this was the Public Comment section only.

Agenda Item(s):

1. Temporary Sign Applications

- Bayfield Farmers Market – 2015 Saturday Markets
- Bayfield Chamber of Commerce – 2015 Concert Series
- Bayfield Chamber of Commerce – Festival of Arts Gallery Tour Signage

Dougherty/Oeltjenbruns moved to approve the three Temporary Sign Applications as presented. Carried.

2. Neighborhood Petition – South 5th Street

The Commission received copies of the June 8, 2015 Summary of the City of Bayfield Common Council Meeting along with copies of:

- May 12, 2015 - Neighborhood Petition – Fifth Street South
- May 27, 2015 – Letter to Mr. Hoff from City (cc'd to other petitioners)
- June 8, 2015 – E-mail & Photos from Mr. Bruce Hoekstra
- June 11, 2015 – E-mail & Photos from Mr. Bruce Hoekstra
- June 15, 2015 – E-mail & Memorandum from Mr. George & Mrs. Nancy Hof

Discussion ensued. In summary, the Commission felt there were legitimate concerns regarding the number of recreational vehicles parked and the manner in which they are parked. They agreed to begin a process to look at options to potentially regulate parking, but specifically (but not limited to) recreation vehicles (boats, campers, snowmobiles, kayaks, etc.), what, where, how many, etc. They felt moving slowly on this would be good. Hoekstra concluded by saying if rules aren't created soon all of the boats, campers etc. will be parked there all winter. Burkel/Dougherty moved to begin the process. Hoopman will provide some sample ordinances for review at the next meeting. Carried.

3. City of Bayfield Direct Seller's Ordinance

The Commission continued discussion on the Memo from Colleen Daly dated May 13, 2015 regarding proposed changes to City Code regarding regulating temporary sellers.

Questions that Still Need to be Resolved

1. Does the City want to prohibit door-to door selling during Apple Fest? **Yes.**
2. Does the City want to require people selling from their home or business property during Apple Fest. to obtain permission from the Chamber? **Yes, but sales only allowed by "property owners", not for friends or other lease situation, etc.**
3. Does the City want to prohibit Direct Sellers from selling on public property? **No.**
4. Does the City not require a permit for direct sellers (or semi-permanent merchants) who sell for less than 10 days in commercial zone? If City is only going to allow direct sellers in commercial zone, may not need Ch. 201 and could require CUP process instead. **Yes, we need to move forward on Direct Sellers Permitting process for Commercial District only and eliminate Semi-Permanent Merchants CUP process.**
5. What information does the City want to require on the Direct Seller permit application? **Name, address, phone etc., description of proposed sale, sales history, are they bonded, pictures of proposed vending cart. Others as described below.**
6. What process does the City want for the direct sellers permit approval. Should an investigation be done first before the permit application is submitted to the Common Council for approve? (line in Section 200-5)? **Yes.**

Allowable permitting standards for Direct Sellers; should include:

- a. Only in the Commercial District
- b. Not near a fire hydrant
- c. Not near a curb cut
- d. Must provide access to public walkway at all times
- e. Sales allowed between the hours of 9 a.m. and 7 p.m.
- f. No sound devices, bubbles, flashing lights, banners, flags, or other similar noise making or moving devices or other related equipment etc. allowed.
- g. Appearance of vending sight will be reviewed and evaluated
- h. Not more than 5 days in one location; 9 a.m. to 7 p.m. constitutes a day
- i. Must provide written consent of property owner if located on private property
- j. If selling food, must provide proper health certificates
- k. Only five Direct Sellers Permits will be issued at one time
- l. Not allowed to drive stakes or other similar device into streets or sidewalks, or to any unauthorized structure (building, light pole, signs, benches, etc.)
- m. Signage will be reviewed ...
- n. No prohibited devices and signs allowed as specified in Chapt. 500-53 A.

Other comments made regarding proposed Chapter 201.

- The definition of Direct Seller should not reflect anyone who is “permanent”.
- Permanent Merchant B. – Should this include persons who do business from his/her residence unless they have a Home Occupation CUP?
- Fee – consider \$100. \$500 seems too high, maybe \$250.00.
- Schwan’s – door-to door in R-1 districts? Direct seller in C-1 zones?
- Executive Director David Eades asked for clarification on Apple Festival vendors selling on private property (whether they are an owner of not)? Are permits required for property owners setting up outside on their lawn areas? Are they required if they are not the property owner and set up on private property?

The Commission will continue to work on these ordinance revisions at the next meeting.

4. Chicken Ordinance and Application:

The Mayor began by saying if the Commission would like to allow chickens, he would like them to consider not allowing them on single lots, and reduce the allowable number to four. Discussion ensued. The Commission would like the draft Ordinance amended to read:

- Section (b) amended to read only four (4) female chickens allowed
- Section (c)(2) b. ...nor closer than twenty (20) feet from any parcel line, ...

They are recommending a public hearing be scheduled on the proposed ordinance.

Dougherty left at 5:35 p.m.

5. Sluiceway Wall Signage: No new information to review at this time.

6. Property Maintenance/Nuisances: A variety of property maintenance issues were briefly discussed. Hoopman will provide a report for the Commission at the next meeting on those discussed and any others.

7. Set next meeting: Tuesday, July 21, 2015 at 4 p.m.

Adjournment: Burkel/Oeltjenbruns moved to adjourn. Carried. (5:58 p.m.)