

# City of Bayfield Common Council

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

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## Minutes of Monday, July 9 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, Burkel, Johnson and Mayor Ringberg

**Others:** Chief Fangman, PWD Kovachevich, Treasurer Johnston, Clerk Hoopman, Marilyn VanSant, Diane Nussbaum, David Eades, Diane Fizell

**Review/Approve Agenda:** Johnson/Burkel moved to approve the agenda as presented. Carried.

**Review/Approve the previous Common Council minutes of June 11, 2018:** Bryan/Nelson motioned to approve the previous Council Meeting minutes as presented. Carried.

**Public Input on Agenda Items:** None. The Mayor thanked those present for attending.

### Agenda

1. **Ordinance #393: An Ordinance Amending Article V: Conditional Uses**

Burkel/Johnson made a motion to waive the second and third readings and to adopt Ordinance #393; an ordinance amending Article V: Conditional Uses as presented and approve for codification into the Code of the City of Bayfield. Passed by roll call vote as follows: Nelson, Bryan, Johnson and Burkel – yes.

2. **Ordinance #394: An Ordinance Creating the Licensing of Short Term Rentals and Agents**

Nelson/Burkel made a motion to waive the second and third readings and to adopt Ordinance #394; an ordinance creating the Licensing of Short Term Rentals in the City of Bayfield as presented and approve for codification into the Code of the City of Bayfield. Discussion. Bryan commented on the issues with his concerns with the new state law that allows for weekly rentals. He would like to vote no if it would make a difference. Passed by roll call vote as follows: Bryan, Johnson, Burkel and Nelson – yes.

3. **Water & Earth, LLC, 34 South Broad Street – Consider application for Class B Beer and Class C Wine Licenses, agent Emily Robertson**

Bryan/Nelson made a motion to grant the Class B Beer and Class C Wine Licenses to Water & Earth, LLC, Ms. Emily Robertson, 34 South Broad Street. Questions ensued about the type of business this was and how it would be operated. Hoopman told them the limited information she knew. Councilors expressed that they wish Ms. Robertson was present to answer their questions, prior to them taking action. A friendly amendment to the motion was made and accepted to postpone action to a later date, when Ms. Robertson could attend. Carried.

4. **Sidewalk Sale by Merchant Permit Requests: Up North, 124 Rittenhouse Ave. - July 14, July 28, August 4 and August 18, 2018.**

The Council received copies of the remaining applications for Up North requesting permission to have sidewalk sales on July 14, July 28, August 4 and August 18, 2018. They acknowledged the owner did provide 3' from the edge of the rack north to the curb area. Copies of the City Ordinance were provided. Additionally, the Council received an e-mail and photos from Marilyn VanSant; the property owner to the west.

The Council remains concerned about the safety of pedestrians. It is shown in the photos that due to the placement of racks, the flow of traffic on the sidewalk is impeded. If one or more pedestrians stop to look, there is virtually no room left on the sidewalk for thru pedestrian traffic.

Burkel/Bryan made a motion to deny the remaining requests for both July and August for safety reasons. Furthermore, Bryan expressed he was in favor of amending the ordinance and would like to have a draft for review by their next meeting. Carried; all ayes by voice vote.

5. **Proclamation: Apostle Islands Station of the Wayzata Yacht Club – Celebrating Race Week’s 40<sup>th</sup> Year in Bayfield.** The Mayor presented the proclamation to the Wayzata Yacht Club last Monday, July 2, 2018. It was well received. Informational; no action required. It was noted that there were 70 boats this year which calculates to about 600 sailors who were in town for this event. They gave the City a picture in return which was shown to the Council.
6. **General Services Administration, Lease Amendment #7 GS-05B-16781 Courthouse (Exp. July 31, 2019)** Bryan/Nelson moved to approve the Mayor’s signature on GSA Lease Amendment #7 as presented. Passed by roll call vote as follows: Johnson, Burkel, Nelson and Bryan – yes.
7. **Project Updates:**
  - a. **2018 Swede Hill Project – 6<sup>th</sup> Street Paving**  
Kovachevich said he has talked with Northwest Paving and Fahrner about possibilities. Nothing has been set or scheduled.
  - b. **Seal Coat/Crack Sealing Project: Review and possibly award bid**  
Bryan/Johnson made a motion to award the bid to Fahrner Asphalt in the amount of \$31,175.92. Kovachevich indicated that if the paperwork was returned soon, the work could start as soon as the end of the month. Passed by roll call vote as follows: Burkel, Nelson, Bryan and Johnson – yes.
  - c. **Waterfront Walk Turning Point Project: Project Update(s)**  
Work continues to proceed. The restroom building is done and work has started on the Fountain base. Need Xcel Energy to hook up power to this location. They were in process of scheduling the work. For now, the restrooms will remain closed until remaining site improvements are made.
  - d. **Old Jail – Bayfield Heritage Association: Project Update(s)**  
Marilyn VanSant said they are hoping the roof work begins soon. Due to the delays they are certain the jail will not likely be open for tours this year.
  - e. **2018 Comprehensive Plan Update: Project Update(s):** The next work session is scheduled for July 24, 2018 at 8 a.m.
  - f. **Solar Project(s):**
    - **Xcel Energy: Solar Connect Community Info. (2 pgs.)**  
Bryan/Burkel supported moving forward in this direction. There would still be a ROI even if we had to borrow. Carried.
    - **Public Input – Nan Fey (1 pg.):** Informational, no action required.
    - **WI Historical Society (2 pgs.):** Informational, no action required.
    - **CheqBay Renewables: Updates from Bill Bailey, Energy Innovation Grant Program (EIGP). (24pgs)**  
The Council was informed this application includes solar for the Courthouse (Ground), City Hall (Roof) and the Pavilion (Roof). The project assumes the use of solar investors and a City contribution. Great concern continues to be expressed about installing solar panels and trying to maintain the integrity of the historic qualities of our buildings which are listed on the local, State and Federal registries of historic places.

Burkel/ Johnson made a motion to continue with the application but it was noted we need a good faith effort if we plan to move forward.

- Bryan has a high level of concern over the aesthetics
- If we take out any of the facilities our project may not be attractive to outside investors.
- We don’t want to waste time and resources.
- Likely the State Historical Society will not approve; should call them for confirmation.
- We’re compromising the integrity of the Historic District

Motion died; all no.

The next step is to move forward with the Solar Garden. Are we going to use cash reserves or borrowing?

- g. **Green Tier Legacy Community Alliance for Health Project:** Nothing new to report.
- h. **Pavilion Deck Repair:** Engineering Update: Nothing new to report. Concern was expressed regarding the future bidding climate.

**8. Mayor's Report(s):**

- Supporting BART's Federal Transit Administration Grant Application  
Eades noted this hasn't been discussed by BART at any of their recent meetings. Council suggested Eades convey to them the City was disappointment to learn they are working outside their Board.
- Supporting Red Cliff's BUILD Program Grant Application: Informational, no action required.
- Attended the WCMG Council Meeting – June 21, 2018: Informational, no action required.
- Fireworks: The Council learned we nearly broke even and we remain hopeful there is a better way. Eades told the Council he will discuss the 2019 Fireworks with his Chamber Board at their meeting on Thursday. It was noted that other communities do a 50/50 raffle. The Mayor had some success walking around with a can during various days this past week. He raised over \$500.00.

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

**Courthouse:** Minutes of June 20, 2018

**Finance:** Minutes of June 11, 2018

**Fire Department:** Minutes of July 2, 2018

**Fire Protection:** Minutes of June 11, 2018

**Harbor:** Minutes of July 2, 2018

**Library:** Minutes of June 20, 2018

**Planning:** Minutes of June 26, 2018 (Work Session and Reg. Mtg.)

**Police Department:** June 2018 Report

Johnson/Burkel made a motion to place the minutes on file in a block format. Discussion.

- Seems there was great interest and a large attendance at the last Harbor Meeting.
- Plan Commissioners were thanked for their continued time and efforts working on the comp. plan.

Carried.

**Correspondence:**

- Alliance for Sustainability – Thank You.
- State of Wisconsin Department of Administration - State Contracts available to Local Governments
- State of Wisconsin Department of Natural Resources – Sanitary Survey of City of Bayfield Waterworks
- Wisconsin Downtown Council – Small Community Forum: September 19, Hurley, WI

Bryan/Johnson made a motion to place the above correspondence on file. Carried.

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

Bryan/Johnson made a motion to approve the June 2018 Voucher Payments Report and to place the June Fund Summary, Treasurer's Report and Budgets on File. Passed by roll call vote as follows: Bryan, Johnson, Burkel and Nelson – yes.

**Set Next meeting(s):** August 13 and September 10, 2018

**Future Marina Lease and Courthouse Lease:** No action or consideration was taken on either lease.

**Adjournment:** Johnson/Bryan moved to adjourn. Carried. (4:48 p.m.)

Minutes by: Billie L. Hoopman, Clerk