

# CITY OF BAYFIELD HARBOR COMMISSION

## Minutes of September 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. followed by roll call:

**Present:** Bryan, Bauer, Dougherty, Shrider and Zawislak

**Other:** Bryce Albrecht-AICS, Mike Radtke, Arnie Nelson, Cal Linehan and Gary Russell-MIFL, Operator Peterson, Bruce Lunde-MSA, Colleen Beagan, Matt Carrier and Mayor Ringberg

**Staff:** PWD Kovachevich and Clerk Hoopman

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

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

**Review/Approve Previous Meeting minutes of August 16, 2021:** Shrider/Zawislak moved to approve the previous meeting minutes as presented. Carried.

### Agenda:

#### Marina

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

- Preconstruction meeting will be held tomorrow at 2 p.m. at City Hall.
- Contractor has been busy reviewing and making plans. They asked to relocate the power and water pedestals on the east breakwall to the other side of the dock. This would eliminate cords crossing over dock and improve safety. Operator Peterson asked some questions about access to the water lines. All felt this was a good idea and should be allowed.
- No updates were available on the HAP or ACE Funding.
- Bryan notified the Coast Guard about the project. They were invited to attend the preconstruction meeting.
- A question was asked about the use of wood or concrete on the east Breakwall walkway. Wood is cheaper.

##### 2. Dredging

Dredging is needed around the well area as noted at the previous meeting. PWD Kovachevich indicated he would follow up on this issue and look for someone to dredge. Maybe Wren Works or C&W could do the dredge work needed.

##### 3. Apple Festival RV Parking

Bryan/Bauer moved to approve the apple festival RV parking as done in the past. Revenues to be split 50/50. Carried.

##### 4. Marina Lessee: July Fees Report

Informational. Been busy; transient rentals are up, and dry storage is down.

**5. Marina Lessee: Issues/Concerns/Updates:** No other issues identified.

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

## City Dock

### 1. Madeline Island Ferry Lines – Dock/Ramp Project Update

- MIFLs presented some drawings of their new dock design. There were photos provided of the existing dock, a photo of Madeline Islands docking area, and a schematic to illustrate the dock layout, design and scale, and layout of the ferry boats.
- The main reason for the dock extension is to get the ramp portion that exceeds onto the City Dock removed so there are no encumbrances.
- MIFL has indicated they would like permission for additional pelican poles that would be used to store a second boat (the Nichevo) when not in use. The second location would not be used to load/unload cars or passengers. They would need an additional electrical hook up. This concept was different than the discussions they had earlier and there was some concern about moving too fast on this issue without thinking through the issues that could arise in the next 46 years of the MOU. How to charge for this space was identified? Adding the width of the Nichevo was discussed.

Bauer/Shrider moved to approve the dock extension as shown but allow the Harbor Commission additional time to review the second boat mooring area. MIFL said they plan to start this project right after Apple Festival, 2021. If they can start the dock work, they don't mind the Commission taking additional time to review the second mooring location and design. Carried.

- Energy sources for boats mostly come from their own diesel supply (forced air on the Nichevo, and boiler on the other boat).
- They will likely use the spaces for winter mooring.
- Radtke concurred they plan to pay the going dock rate over the course of the term of the MOU.
- MIFL plans to continue renting Finger Pier 1W even though it doesn't appear that space will have access issues.

### 2. Large Vessel Docking Policy

The question on the table is how to charge large vessels for docking at the City Dock and on the outside wall of the "T". Should some vessels be charged? Should we use the established transient dockage rate? Another rate? Should any vessels be allowed to dock for free? Is there a difference between private parties, vs. publicly ownership like research vessels?

Shrider/Zawislak moved to require all boaters to pay the going transient dockage rates, with the understanding an exemption could be granted by the Harbor Commission. Discussion ensued. Hoopman suggested a written policy would be helpful since many large vessels show up without much warning and having time to go to the Harbor Commission prior to their arrival would be unlikely. The motion was withdrawn by both parties as all agreed that developing a written policy to handle large vessel docking was a good future action. The item was tabled until a draft policy was drafted for review.

- 3. Viking Cruises – Updates/Facility and Security Plan Proposal:** Chairman Dougherty indicated that not only do we need the Facility and Security Plans we need to develop a tariff policy so that all parties are treated fairly and equally.

Shrider/Bryan moved to hire Attorney Max Lindsey for the purpose of providing a legal opinion as to what empowers a City to regulate cruise ships. Discussion ensued. The motion was withdrawn, and the action will be tabled until the next meeting. The Harbor Commission thought they should investigate whether another person or attorney might be better able to handle maritime law issues.

- 4. Public Works Director Report: Issues/Concerns/Updates:** The PWD informed the Commission that the AICS accidentally hit one of the pedestals and he is working with them on getting it fixed.

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

- 1. Ernie LaPointe Boat Ramp Project Update:** The new pier has been ordered and funding in full has been received from Enbridge. Once the project has been completed, we need to make sure to properly thank them for their generous contribution.
- 2. Public Works Director Report: Issues/Concerns/Updates:** None.

#### **Other Business/Concerns**

- 1. Cable Line – North of Ferry Landing:** Concern was expressed about the extremely deteriorated sign near the sluiceway that is supposed to inform users in that area about the Norvado and CenturyTel Cables that are on the Lake bottom from there to Madeline Island. Additionally, the lines aren't accurately stated on NOAA maps. Since Viking Cruises informed the City, they are considering mooring in this general area it was felt a letter should be written and sent to the utility providers asking them to replace the signage and notify NOAA of the exact location of the lines so they can be added to their maps.
- 2. 2022 Budget and Capital Improvement Project Requests were discussed:**
  - Retaining, lowering, and increasing the \$85,000 contribution to the City was discussed. It was agreed to keep it at \$85,000 this year.
  - Move the \$75,000 LE Building Project to 2023.
  - Add \$75,000 to the City Dock Finger Pier 2022 Project.
  - The Dock must cash flow and therefore the Commission will be looking to implement various fees including Tariff Tax Fee Policy and a policy for large vessel docking. Harbor Commission cannot continue to offer free docking.
  - A subcommittee needs to evaluate the condition and possible uses of the LE Building.

Bryan/Shrider moved to approve the 2021 Budget and CIPS as amended during this meeting. Carried.

Hoopman asked the Commission to begin evaluating whether they will be replacing all six finger piers or reducing the number to five.

- 3. 2021 August 2021 Revenues:** Good news; revenues are up.

4. **WI Clean Marine Association Dues** : Bryan/Shrider made a motion to approve the payment of the Association dues as shown. Carried.
5. **Schedule Next Meeting(s)**: The next meeting will be held on Monday, October 4, 2021, Shrider informed the Commission she will be unable to attend.
6. **Marina Lease Discussion (Current Lease Exp. 12/31/23)**:  
Zawislak/Shrider moved to convene into closed session pursuant to Section 19.85(1)(e). 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.

Shrider/Bauer motioned to reconvene into open session for purposes of adjournment. Carried.

**Adjourn:** Shrider/Bauer moved to adjourn. Carried. 5:47 p.m.

*Minutes by Billie L. Hoopman*