

SPECIAL VILLAGE BOARD AND HARBOR COMMITTEE MEETING MINUTES
Thursday, May 28, 2009 2:00 p.m.

APPROVAL PENDING

MEMBERS PRESENT: President Nancy Fisher, Mike Fitzgerald, Bob Dickson Chris Anderson, Barbara Cammack, Attorney William Vande Castle, Josh Van Lieshout, Pat Gureski
Harbor Committee: Bill Cammack, Bob Dunworth, Karl Klug and Ken Mathys, Jr.

ALSO PRESENT: Jack McCoy, Steve Schaefer, Peter Devlin, Frank Murphy, Attorney Randy Nesbitt, Kathy Navis, Diane Smith, Steve Smith, Jack Gray, Denny Phillips, Frank Murphy, Curt Campbell, Randy Nesbitt, Bob Doneff, Lynn Doneff, Myles Dannhausen, Jr. of Peninsula Pulse; Rich Dirks, Robert Heller, Elizabeth Heller, Kelly Popp, TC Johnson, Holly Lewis, Gary Lewis, Bruce Hill. George Bisbee, Edith Bisbee, Kelly Popp, Marci Hopp, Carol Straubel, Judith Ortiz, Mike Kahr, and Steve Callsen from Port-a pier, Bob Moore from Michels Construction, and others; 40 people in all.

- 1) Call to Order and Roll Call Meeting was called to order at 2:00 p.m. by President Fisher.
- 2) Pledge of Allegiance
- 3) Approval of the Agenda , Chris Anderson moved to approve the agenda as posted, seconded Barbara Cammack.
- 4) Open Session (10 Minutes) Steve Schaefer spoke of the referenda election. Schaefer took a poll of the attendees who would like a marina in the Village and then stated that the issue at hand is bringing a marina to scale for the size of the Village. Schaefer suggested introducing another referendum as soon as it can get going.

Curt Campbell spoke to the issue and asked the Village to not tear down the marina and spoke of responsibility and conservatism in spending. Spoke in opposition of destroying the existing marina.

Randy Nesbitt spoke for Bonnie Cady. Questioned whether the current dock is salvageable or might be used as part of a new structure. If not that it could be built to a smaller scale.

Denny Phillips, think the Village could have included a voice of the non-resident taxpayers in the voting process.

Bob Doneff spoke of the referenda election and spoke to building a smaller marina,
Jack McCoy spoke to correspondence of Bob Doneff to the Village on the jurisdiction of closing off the Dock for this present time, and quoted Josh Van Lieshout's response about the closing the dock.

- 5) Announcement and review of referendum results
Clerk Gureski announced the number of voters and revealed the results of the vote.
- 6) Review of Final Design, construction, bidding phase and construction administration services expenses to date. Not discussed.
- 7) Review and action regarding construction inspection and oversight Not discussed.
- 8) Review of Phase 1, Phase 2 and Phase 3 preconstruction estimates and remaining project budget

Van Lieshout spoke to the phases of the project. at \$4.5 mil for Phase I. Phase II would have been docks and appurtenances and upland improvements.

Fisher referenced the 2005 Michael J. Till report on his inspection of the dock and recommendation to ask the Village to prioritize recommended procedures. This catapulted Village action.

STS consultants in May 2006 made a site evaluation and presented a report to the Village; and subsequent dives by JJR LL engineers since August 2006 who have provided reports on the continuing deterioration of the dock infrastructure.

William Vande Castle added that because of the concern of the reports, the Village brought in the insurance carrier for the infrastructure who met with JJR in Madison where they viewed the tapes made by JJR who then recommended that the breakwater be closed.

Mike Fitzgerald introduced Mike Kahr who accompanied the visit to JJR and spoke to a Kahr recommendation to make a finished development of the existing dock and 16 floating piers in the water only for around \$3 million dollars.

Fitzgerald spoke to the fact that a year and a half was spent investigating why the damaged dock could or could not be repaired, and/or rebuild the break wall and dock. The fact that 37 slips would not generate revenue to finance the project, it was concluded it would take 60 to 70 slips to pay down a marina that the DNR would approve.

Fisher asked the Board and Harbor Committee to address their concerns as to what direction the Village should move in. JJR LLC has now quoted \$12,000 for engineering in relation to a separate demolition.

Ken Mathys asked what to do with the old and what is the plan to follow? He said he would be hard pressed to not remove the structure because of the liability it poses.

Dickson spoke to the issue that it is a liability to the Village and each trustee individually as to the liability.

Karl Klug spoke to the liability, but if it stays there, it provides protection for the remainder of the marina and launch ramp. Without it you would have to shut down the entire marina.

Mike Kahr suggested design built construction alternatives that could be used and is willing to work with the Village to cut the costs that is palatable to the voters.

Curt Campbell, spoke to the engineering reports and spoke that they are contradictory at what is being said in this room.

Gary Lewis asked the board and Village to listen to all the alternative ideas and make the design to the size of the Village.

Holly Lewis spoke to the fact that the Village needs to keep the marina small and make a decision as to how you are going to move forward.

Bruce Hill spoke to the two discussions that are going on. He agreed we all want a marina. He stated that the rebuild will cost the taxpayers \$2 million more because you've lost the grant monies from the Water Ways Commission.

Eligibility of the grant money was discussed.

Bob Dickson stated he would support a smaller marina and suggest a referendum language the taxpayers will go for with approximately a 40 to 50 ft. slip marina and asked the public to come up with the language.

Mike Kahr said they are options the village can use to make more informed decisions.

Steve Schaefer suggested an informational meeting driven by an impartial moderator. The opposition was probably 50/50 on the scope and increased tax on the property.

Discussion went from the Village losing the grant money or restructuring the size of the marina so we can have a viable marina for this Village.

Mike Kahr supported a design/build opportunity to get a smaller scale option for the Village in the range of 2.6 million.

Fisher asked for moving forward for the grass roots action from the taxpayers to bring forth a plan of action and referendum language that you think will pass.

Ken Mathys asked for sense from the public what might be acceptable less than the 6.6 million.

Bill Cammack stated he felt the increase of tax was a bigger decision factor than the size of the project.

Jack McCoy spoke to the debt on the marina and the Village as a whole.

Holly Lewis expressed her concerns of safety without adding any more parking to this facility or increased bathrooms and showers.

Chris Anderson suggested a survey of the voters; then structure the referendum language.

Mike Fitzgerald asked those present to move along with their recommendations before he meets again with the Waterways Commission in two weeks.

Ken Mathys asked if the position could be presented to the public without the upland amenities. The parking issue could be solved with off site parking. Taking out the amenities would not improve the project.

Carol Straubel brought up the fact about the liability and the fact that the insurance company could easily walk away from you.

George Wilson, assistant dockmaster at Ali-Bi Dock urged the board to get another referendum as soon as possible whether than start over from scratch.

Frank Murphy should we decide to dispose of the dock now and then go for a new design if four or five years, would that hinder your chances for support from the State?

George Bisbee reflected on a decrease from \$7 million plus a year ago for unneeded things, and if the taxpayers had to fund less than 65% of the cost it might make it more palatable for success of the voters.

Barbara Tuch stated her concern about the additional debt that the Village taxpayers would be facing.

When asked if she would support a marina plan that she would support, she responded \$5 million. At 3:48 p.m. Fisher stated she will limit the discussion to ten more minutes.

Elizabeth Heller stated that she wants to see more information pros and cons on how we would be affected if you build the marina and if you pull the marina completely.

Barbara Cammack brought up the fact that the size of slips you have today will not work for the size boats that are coming in and you have specific rules to meet by the DNR to build a marina and she doesn't think the general public knows that.

Bob Moore – contractor/bidder – if you are going to change the marina, requests that the referendum gets passed first as the contractors have gone through the bidding twice already and it is costly.

Rich Dirks suggested asking the DNR what is the minimum slips they will approve and then go forward and see if you won't lose that 1.18 million dollars.

- 9) Review of bid results for Phase 1, Breakwater Construction and Cribwall Demolition Consideration and action on design elements and award of a contract for Breakwater Construction and Cribwall Demolition. Not discussed.
- 10) Review of expected commencement of construction and timeline. Not discussed.
- 11) Additional Recreational Boating Infrastructure Grant Program requests. Not discussed.
- 12) Review of steps and timeline necessary to commence razing and dredging of the existing breakwater Fisher asked Van Lieshout to speak to the timeline. Van Lieshout stated the next step would be to put together a proposal for services for approval at the June 8 board meeting; demolition and dredging below waterline; devise a way to establish a bulkhead along the shore. It will take thirty days to accomplish with Class 2 notice and 12 weeks to have a contract for just razing of the breakwater.
- 13) CLOSED SESSION for the purposes of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.
At 4:01 p.m. Fisher moved to go into closed session, seconded Fitzgerald. Motion passed unanimously.
- 14) Return to Open Session The opening meeting session resumed at 5:15 p.m.

Fitzgerald moved that because of safety reasons, the board directs the administrator to commence action for JJR LLC to take necessary steps to gather engineer reports on the safety of the break water to present to the board on the 8th of June, seconded Barbara Cammack. Motion passed unanimously.

Open session: Steve Schaefer asked if any thing changed from a few hours ago. Fisher replied the board will be interested in hearing recommendations form the public on how a referendum would pass.

- 15) Adjournment Fisher moved to adjourn at 5:14, seconded Fitzgerald. Motion passed.

Recorded by
Patricia C. Gureski, Clerk-Treasurer