



Monday, April 10, 2017
Village Board of Trustees Meeting Minutes
DRAFT

1. **CALL TO ORDER & ROLL CALL**

a. **Notice of Meeting**

Smith called the meeting to order at 12:00 p.m. Those in attendance were Joe Smith, Bob Dickson, Paula Cashin, Lisa Van Laanen, Ryan Heise, Lynn Ohnesorge, Megan Vandermause, and John Heller via Skype. Also in attendance was the Village's attorney, William Vande Castle. In attendance from McMahon Engineering was Tom Kispert. Also in attendance in the audience were Luke Bentley, Cambria Mueller, Kathy Mand Beck, Clarence Scherer, Tami McLear, Kathy Navis and Barbra and Dave Tuch.

b. **Pledge of Allegiance**

c. **Approval of the Agenda**

Cashin moved to approve the agenda, second by Van Laanen, motion carried.

d. **Approval of March 13, 2017 Village Board Meeting Minutes**

Smith moved to approve the March 13, 2017 Village Board Meeting Minutes, second by Dickson, motion carried.

2. **OPEN SESSION** - *This is an opportunity for members of the audience to bring to the Village Board's attention any concerns regarding items listed on or not listed on the agenda. Comments will be limited to three (3) minutes per person with a maximum of ten (10) minutes for all items. Speakers may not yield their time to others.*

- Scherer stated that the EHBA will be the one issuing the permits for the vendors and asked if there is any particular reason the Village is not issuing the permits.
- Scherer also asked what the fee will be for the vendors.
- Dave Tuch stated that he would like to recommend eliminating the closed session regarding the library project and discussing it when the new President takes over.
- Van Laanen stated that she knows there are new Board members that will be joining the Board, and she knows that it takes a lot of guts and leadership to be on the Village Board.
- Van Laanen thanked Smith for his service as President and thanked Dickson for his service as Trustee.
- Van Laanen said that she thinks that the open sessions have really gotten out of hand especially after the disruption last month.
- Van Laanen stated that she thinks the Village Board has been under personal attack and it is one thing to criticize actions or policies, but the Trustees character is being attacked.
- Van Laanen stated that all of the Trustees are trying to do the best they can for the Village, and she would appreciate everyone sticking to the issues.
- Heise thanked President Smith and Trustees Cashin and Dickson for their service on the Board.
- Heise reported that the new Trustees will have their official call to duty on April 25th.

3. **ADMINISTRATOR**

a. **WWTP Project Update**

- Kispert gave the Trustees an update on the wastewater treatment project.
- Kispert explained that the project was broken into two phases, and the first phase of the project was initiated.
- Kispert stated that the first phase was doing work in the treatment tankage itself which has not been brought offline since 1988. There was a leaky valve in the middle of the tank that wouldn't close. The WWTP was finally taken offline, and the septage receiving tank was emptied ahead of time and was used to take in the incoming wastewater flows which allowed the treatment tankage to be completely dewatered.
- Kispert stated that the bottom of the tank contained a lot of debris that needed to be cleaned up.
- Peterson thought because the tank was empty, it would be a good opportunity to clean the tank out.
- Heise shared some pictures of the debris with the Trustees.
- A contract was retained to provide the labor to clean the treatment tankage.
- A proposal was received from the contractor for the labor and the equipment in the amount of \$3,699.10. Within the cost there was some equipment purchased that will be left at the WWTP in case it can be used again in the future.
- There will be a changeover coming from the contractor for the cleaning of the tank.
- The next part of the project will move forward when the pumps are available, and the BFDs arrive for replacing some of the equipment in the lower half of the control area.
- Kispert said that this equipment should arrive in the next month or month and a half, and then the pumps will be replaced one at a time.
- Kispert said that all in all, the entire project is going well, and the contractor was back today to install the telescopic valve, but the wrong components were shipped to them from the manufacturer.
- The contractor is working this out with the manufacturer.
- Kispert said that the contractor did a good job taking the WWTP offline.
- Cashin asked if the WWTP is back online, and Kispert stated that the WWTP was put back online at the end of the day last Tuesday.
- Kispert said that the contractor had 83 hours to get the work done. Ten workers were brought up and all worked in different areas at the same time.
- Kispert explained that the flows were lower than expected while the work was being done.
- Cashin asked if the WWTP will be taken offline again, and Kispert stated that there is no need to take the WWTP offline again.
- Cashin stated that the next time the WWTP is taken offline there should be a notice sent to the Village residents.
- Kispert stated that Peterson was going to coordinate this, and he notified most of the customers with holding tanks outside the Village.
- Heise stated that the Village did recently have an increase in user rates, and the Village office has received some complaints.
- Kispert said that every time user rates go up people do not like it, but it is inevitable.
- Kispert said that the users are getting charged for what is used and the ability to actually use it.
- Kispert explained that this is not a tax.
- Kispert explained that the Village needs to recover enough revenue to keep the operations going and to take care of the maintenance.
- Kispert said that the affluent requirements will be changing in Wisconsin, and Wisconsin requirements seem to be more restrictive than other states.
- Kispert stated that rates in other states seem to be lower because the treatment standards tend to be less.
- Kispert stated that this is not true in all cases but seems to be the trend in general.

- Kispert stated that each community in Wisconsin cannot be compared to each other because every community's treatment situation is different.
- Smith asked if the Trustees had any additional questions for Mr. Kispert.
- Kispert thanked the outgoing Trustees for their service.

b. **Door County Tourism Zone Commission**

- Heise stated that at the last meeting Dickson brought up concerns regarding using room tax funds for Peninsula State Park, and Heise said that this has been removed from the agenda.
- Heise stated that he did present the plans for the new Library Community Center project to the Door County Tourism Zone Commission.
- Heise recommend that everyone check out the Door County Tourism Zone Commission's website because they have a nice video regarding room tax dollars.

c. **Public Arts Initiative Celebrate! WI Sculptors Project Update**

- Beck gave the Trustees an update regarding the Celebrate! WI Sculptors Project.
- Beck stated that the group has received their 501c3 status and thanked the Village Board for their support and the donation that was promised to the group.
- Beck stated that the group is thrilled to have received the donation and will use the donation very wisely.
- Beck stated that through the winter the PAI has lost a few of their Board members because of work opportunities, and one because she will be joining the Village Board.
- Beck stated that the Celebrate! WI Sculptors project will need to be postponed due to lack of help, and because their call to artists did not receive enough entries.
- Beck said that the group has been working with Arts Wisconsin, and Arts Wisconsin told the group that this is not uncommon in the state of Wisconsin because there are not a lot of sculptors in the state.
- Beck stated that she does not feel like the group has failed at all, and they have just taken a bump in the road.
- Beck said that she will come back and give the Village Board an update as soon as she came.
- Beck stated that the group still plans on working on Eggstravaganza for 2019.
- Beck again thanked the Village Board for their donation.
- Van Laanen said that she is glad the group is working with Anne Katz from Arts Wisconsin because she is very energetic.
- Van Laanen asked if the group will still be working on the sculpture for the terrace, and Beck stated that this project is still in discussion.
- Van Laanen asked who the current PAI Board members are, and Beck reported that she, Rebecca Carlton, Bev Prohl, and Jeff Olson are the current PAI Board members.

d. **Ordinance 2017-07 Farmer's Market**

Suggested Action: Motion to approved Ordinance 2017-07 Farmer's Market

- Van Laanen stated that the EHBA is sponsoring the event, and that is why they will be issuing the permit.
- Van Laanen said that fee will be \$250 per vendor per season.
- Vandermause explained that the Outdoor Displays ordinance is being amended because this is the ordinance the addresses events.
- Vandermause stated that the farmer's market vendors will be issued a transient merchant license, and the transient merchant license fee will come out of the \$250 overall fee.
- Vandermause said that this year for each event transient merchants will get different colored license cards.
- The farmer's market vendors will get a green card, and they will not be able to show up at another event with this license.

- Vandermause stated that the transient merchant fee will be split between the Village and the EHBA, like it is for every other event.
- Vandermause reported that she went over the process with Alyssa with the EHBA, and the system should work well.
- The transient merchant license will be issued to farmer's market vendors for the whole event just like all other events.

Smith moved to approve Ordinance 2017-07, second by Cashin, the Trustees discussed:

- Van Laanen asked if the ordinance should specifically list the day and the time because in the future this could change, and Van Laanen asked if it should read one set day at one set time in case it changes.
- Smith stated that he likes the ordinance being restrictive because then it will be required to come back before the Trustees, and Van Laanen stated that she agrees because the Trustees did want to review it.

The Trustees voted, Smith aye, Dickson aye, Cashin aye, Heller aye, and Van Laanen aye, motion carried.

e. **Financial Management Plan**

Suggested Action: No action, for review and discussion.

- Heise stated that he is not asking the Village Board to take any action on this item. This is just information that is being passed on.
- Heise said as the Village begins to sort through potential projects and established spending limits, a request for proposals could be sent out to help the Village establish a financial management plan.
- Heise said that he wanted to present the information, but there is no action needed.

4. **VILLAGE PRESIDENT**

5. **PARKS AND PUBLIC WORKS COMMITTEE**

a. **Comments and Remarks from Committee Chair**

- Van Laanen stated that the Parks and Public Works Committee did not meet in the month of April because they are caught up on most of their projects.

b. **Stewardship Grant**

Suggested Action: Approve work with JJR Smith Group in the amount of \$3,000.00 for the pursuit of Stewardship grant funds related to beach extension project

- Heise stated that Smith group JJR, who is working on the Village's beach project, is recommending that the Village pursue other grants for the beach project other than the Coastal Management Grant.
- Heise stated that the Village has had luck with the Stewardship grant in the past.
- Heise stated that the amount of dollars that would need to be dedicated to JJR Smith Group to pursue this grant would be \$3,000.
- Van Laanen asked what the pay back would be on the grant. Heise stated that he does not know the amount, but it will be more than \$3,000.

Smith moved to approve work with JJR Smith Group in the amount \$3,000 for the pursuit of Stewardship grant funds related to the beach extension project, second by Cashin, motion carried.

6. **UTILITY COMMITTEE**

a. **Comments and Remarks from Committee Chair**

- Heller stated that the utility committee did not meet this month, but the change order for the WWTP project is on the agenda.
- Heller pointed out that the Great Lakes vacuum truck was employed, and this is not part of the \$3,600, so there will be an upcharge on that.
- Heller reported that he talked to Peterson about rebuilding one of the pumps at the beach, and the cost for equipment is around \$8,000 not including installation.
- Heller stated that the marina work that was going to be done by Sabel Mechanical is supposed to be done this week.

b. **Wastewater Change Order**

Suggested Action: Approve change order

Heller moved to approve the change order with Sabel Mechanical as presented, second by Smith, motion carried.

7. **PLAN COMMISSION**

a. **Comments and Remarks from Committee Chair**

- Smith stated that the Plan Commission met and approved the conditional use permit for Serendipity restaurant with all the same conditions that were associated with the Trio restaurant, that was there in the past.
- The Plan Commission also discussed revisiting and reviewing the Village's Master Plan.
- Van Laanen said that she was very glad to see that the Master Plan is going to be reviewed, and stated that the Master Plan is a good framework.
- Van Laanen stated that the Plan Commission should think about the amount of residential areas versus commercial areas while reviewing the Master Plan.
- Smith said that the Plan Commission is first going to review the Master Plan, and if they need to come back and request funds to redo the Master Plan they can do that.

8. **HARBOR COMMITTEE**

a. **Comments and Remarks from Committee Chair**

- Dickson stated that at the last meeting it was reported that there is still one slip available for the upcoming season.
- Dickson stated that it is a 25' slip.
- Dickson said that the committee learned that there is new upper management at SG Marina, and the look and feel of the marina was discussed with them.
- The committee discussed updating the waitlist and some of its procedures to make it more relevant.
- Dickson stated that the committee had no objections to allowing employees to use the shower facilities when needed.
- Staff is still working on a fix for the showers.
- Dickson reported that the committee also reviewed the dinghy storage issue.

b. **Procedures and Usage Rule Changes**

Suggested Action: Approve procedures and usage rule changes regarding wait list and dinghy storage per marina staff's recommendation.

Dickson moved to approve the procedure and usage rule changes regarding wait list and dinghy storage per marina staff's recommendations, second by Cashin, motion carried.

c. **Marina shower facilities for staff**

Suggested Action: Approve policy allowing for staff to utilize shower facilities when needed

Smith moved to approve a policy allowing for staff to utilize shower facilities when needed, second by Dickson motion carried.

9. **LIBRARY AD-HOC COMMITTEE**

a. **Comments and Remarks from Committee Chair**

- Heise stated that the Library Ad Hoc Committee does have a meeting scheduled for tomorrow starting at 1:00 p.m.
- Heise stated that there is going to be a furniture meeting that will be held in conjunction with the Door County Library system.

c. **Interested Users of New Library Community Center Facility**

- Heise reported that staff has started putting together a list of interested users for the new library community center.
- Heise said that Midsummer's Music Festival, bridge clubs, Door County Senior Services and Aging Disability Center, Door County Thrive, the Historical Society, and the American Red Cross are all interested in using the new facility.
- Heise said that the Historical Society is interested in having a bingo night/day at the new facility, and stated that the Green Lake Community Center in Green Lake, WI makes \$20,000 in revenue from bingo.
- Heise reported that staff will continue having conversations with interested users and will build upon this list.

d. **Change order HGA**

Suggested Action: Approve Change order for HGA

- Heise stated that when the committee reduced the size of the building based on community input from 140 ft. to 130 ft. there were many modifications needed in regards to that change, so these are all services related to that design change.
- Heise said that the committee also went through the process of value engineering, where items that could reduce the cost of the building were reviewed.
- Heise stated that as a reminder, the tax payer impact is set so all of the change orders that occur going forward will be the responsibility of the fundraising group.

Dickson moved to approve the HGA change order in the amount of \$41,160.00, second by Cashin, motion carried.

e. **Update to status of Boldt Contract**

Suggested Action: Authorize staff to transfer dedicated funds to Community Foundation for the purposes of constructing new Library Community Center. Authorize authority to Village President to to execute amended agreement from Boldt Construction authorizing transfer agreement to Community Foundation.

- Vande Castle stated that Boldt is concerned about the contract as it is currently formatted in terms of when and how they get paid. Vande Castle stated that from his understanding after meeting with Boldt last week, Boldt hasn't actually invoiced anything yet, and Heise stated that the first invoice has gone out to the Community Foundation.
- Vande Castle said that Boldt is proposing that since the bulk of the money is with the Community Foundation, the Community Foundation be brought into the contract so that Boldt can invoice the Community Foundation directed.
- The current contract is with the Village and because the Community Foundation is a big partner in this project Boldt wanted to make sure that when it comes to accessing the funds in

the hands of the Foundation, they could bill the Foundation directly.

- Because the contract that exists has been prepared by Boldt, Boldt staff is working on doing an amendment to the contract that would bring in the Community Foundation as a partner in the contract for billing purposes and some administration purposes.
- Heise stated that the Community Foundation is willing to take on this contract and the only other item is to make sure that the Village's bond counsel is comfortable with the Village transferring funds directly to the Community Foundation. The Village should get an opinion on this later today.
- Heise stated that the Village will want to make sure to have an agreement with the Community Foundation so that a separate fund is kept that tracks the Village's contribution. The Village will have the ability to recover those funds if needed at any point in time.
- When the building is finished, the Community Foundation will immediately transfer ownership of the building to the Village.
- Heise stated that the Community Foundation has no interest in owning the building, and the contract management will still be the responsibility of the Village. The Community Foundation will just pay out invoices.
- Vande Castle stated that there is no title or ownership interest passing to the Community Foundation. The Community Foundation will just be using the money that they acquired through donations to pay invoices. Rather than Boldt invoicing the Village and the Village invoicing the Community Foundation, Boldt will be able to under the new proposal, invoice the Community Foundation directly.
- The Village will still see the invoices and can track the money with financial documents.
- The contract is going from a two party contract to a three party contract.
- Cashin asked if the Community Foundation will get approval from somebody from the Village before paying invoices, and Heise stated that this has been made a condition of entering into the contract.
- HGA will sign off on invoices and the Village will sign off on invoices before a check is issued.

Smith moved to authorize staff to transfer dedicated funds to Community Foundation for the purposes of constructing the new library Community Center and to authorize authority to the Village President to execute the amended agreement from Boldt Construction authorizing transfer agreement to the Community Foundation, second by Dickson, motion carried. Heller nay.

10. **BIRD CITY AD-HOC COMMITTEE**

a. **Comments and Remarks from Committee Chair**

The committee did not meet this month and will not meet until the beginning of May.

11. **VILLAGE CLERK/TREASURER**

a. **Year to date financial statements**

b. **Room Tax Report**

c. **Approve Class "B" Beer and Class "C" Wine Alcohol Beverage Retail License Application for Etoile LLC dba Serendipity at 4655 County Rd. E, Egg Harbor.**

Suggested Action: Approve

Smith moved to approve the Class "B" Beer and Class "C" Wine Alcohol Beverage Retail

License Application for Etoile LLC dba Serendipity at 4655 County Rd. E, second by Cashin, motion carried.

d. Spring Election Results

- John Heller won the Village President seat and Angela Lensch and Cambria Mueller won the Trustee seats.
- Smith pointed out that there was a very good turnout for the election.
- Ohnesorge said that the last day for the current Trustees will be April 24th.
- Ohnesorge stated that the referendum passed and has been published.

12. **JOINT FIRE COMMISSION**

a. Comments and Remarks from Village Representative

- The commission did not meet in March, and the meeting for April is April 20th.

b. Select a Trustee for attendance to the next meeting

13. **CORRESPONDENCE**

a. Correspondence

- Smith reported that the Village received the following correspondence.
2016 Tree City Recognition.pdf
Door County Humane Society Correspondence.pdf
Robert Baudo Letter.pdf
Door County Economic Development Corporation Correspondence.pdf
John & Sandra Szczewski Correspondence.pdf

14. **CLOSED SESSION**

- a. Recommend motion to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(g) 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 regarding new Library Community Center Project in which it is or is likely to become involved.**

Smith moved to enter closed session per state statute 19.85(1)(g) 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 regarding new Library Community Center Project, second by Dickson, Smith aye, Dickson aye, Cashin aye, Heller aye, Van Laanen aye, motion carried.

- b. Recommend motion to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(g) 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 regarding Meadow Ridge Assessment in which it is or is likely to become involved; and then to RETURN TO OPEN SESSION to take further action or to adjourn the meeting.**

Smith moved to return to open session, second by Van Laanen, motion carried.

Smith moved to authorize Attorney Vande Castle to enter into discussions with the ownership group of Meadow Ridge in regards to settling their assessment issues, second by Dickson, motion carried.

15. **OPEN SESSION** - *This is an opportunity for members of the audience to bring to the Village Board's attention any concerns regarding items listed on or not listed on the agenda. Comments will be limited to three (3) minutes per person with a maximum of ten (10) minutes for all items. Speakers may not yield their time to others.*
- Mueller said thank you for putting the expectations of open session in writing so that it is clear.
16. **ADJOURNMENT**
Cashin moved to adjourn, second by Dickson, motion carried.

*Respectfully submitted by,
Megan Vandermause*