

**Village of Egg Harbor
Village Board Meeting Minutes
January 9, 2017 at 12:00 p.m.
Paul J. Bertschinger Community Center
7860 STH 42, Egg Harbor, Wisconsin**

1. Call to Order and Roll Call

Smith called the meeting to order at 12:01 p.m. Those in attendance were Joe Smith, Bob Dickson, Paula Cashin, John Heller, Lisa Van Laanen, Ryan Heise, Lynn Ohnesorge, and Megan Vandermause. The Village's legal counsel Bill Vande Castle was also in attendance. In attendance from HGA was Jim Vander Heiden. In attendance from Boldt Construction were Paul Coenen and Steve Palidini. In attendance in the audience were Frank & Claire Murphy, Clarence & Mary Anne Scherer, Kaaren Northrop, Bart Ahern, Dawn McGinnis, Luke Bentley, Emily Pitchford, Jeff Larson, Alyssa Rasmusson, Pam Wegner, Kim Jensen, Randy Nesbit, Jim Burroughs, Jerry Seroka, and Giz Herbst.

A. Notice of Meeting

B. Pledge of Allegiance

C. Approval of the Agenda

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

D. Approval of December 12, 2016 Village Board meeting minutes

Smith moved to approve the December 12, 2016 Village Board meeting minutes, second by Van Laanen, motion carried.

2. Open Session (10 Minutes)

- Randy Nesbit introduced himself as an attorney appearing on behalf of tax payers in the Village who are unhappy with the library project.
- Nesbit stated that he would like to remind the Village Board that the resolution that was passed in November stated that the Village would contribute \$2 million inclusive of all previous contribution to the library project.
- Nesbit congratulated the Village on the contribution from the Community Foundation, but stated that he still sees a shortfall of at least \$400,000.
- Nesbit also wanted to point out the nature of the contributions and that the contribution from the Kress Foundation is voluntary unless committed.
- Nesbit said that to the last of his knowledge Attorney Vande Castle is working on document to confirm the commitment from the Kress Family.
- Private parties don't sign construction contracts until they have committed funds, either with money in the bank for financing commitments from a bank, and Nesbit said that municipalities are held to a higher standard because they are dealing with funds from the tax payers.
- Nesbit stated that the Village needs to make sure that these contributions are enforceable commitments.

- Nesbit urged the Trustees to take some time to assure that the Village is in the position to make the commitment with funds that tax payer's money will be responsible for.
- Nesbit said that the contractor will most likely not walk away from the contract to allow the Village to find additional funding.

3. Administrator

A. Door County Tourism Zone Commission

- Heise stated that the November room tax collections are still being reconciled.
- The posting from October reports that Door County is up 7.3% over last year and the Village of Egg Harbor is up 7.66% over last year.

B. EHBA Update

- Smith stated that the EHBA provided a letter to the Village to address three issues which include: funding by the Village, Christmas decorations, and the Door County Wine Fest 2017.
- Larson gave an update on behalf of the Egg Harbor Business Association.
- Larson reviewed the annual events put on in the Village by the EHBA which include: Concerts in the Park, the Car Show, Girlfriends Great EGGscape, Alefest, Pumpkin Patch, Wine Fest, Fourth of July Fireworks, and Holly Days.
- Larson pointed out that the EHBA also handles all of the marketing for the area and events.
- Larson stated that the Village provides the EHBA with \$10,000 annually for operational costs and in the past has received an additional \$10,000 if there is a proposal for a new event.
- Larson stated that the EHBA feels as though they will no longer be able to add events as the event schedule is very busy.
- The EHBA would like additional funding for special projects such as improving Christmas decorations instead of new events.
- Larson stated that the Wine Fest event was successful and there was significant economic impact.
- Dickson asked how much money the Town of Egg Harbor provides the EHBA, and Rasmusson stated that the Town provides the EHBA with \$8,000, but this is earmarked for Birch Creek.
- Dickson pointed out that the EHBA brochure also includes Fish Creek businesses and asked if Fish Creek provides the EHBA with any funds.
- Larson stated that members from outside Egg Harbor are listed as a secondary.

- Larson stated that some businesses that attract tourists to the area and helped get the EHBA started are included in the brochure such as Peninsula Players and the Door County Auditorium.
- Van Laanen asked if the EHBA is requesting funds or there if this is just a proposal for the Village to take into consideration.
- Larson stated that the EHBA has had an agreement with the Village in the past, but does not currently have a signed agreement.
- Larson stated that the last year the EHBA operated at a loss, but there were a couple of events that did help carry them.
- Larson stated that the EHBA receives funding from the Village, the Town, membership, and Strategic Community Partnership dollars.
- Larson stated that the EHBA has gotten big enough that it does need to pay Wisconsin sales tax.
- Larson stated that not all events that are put on by the EHBA generate income.
- Van Laanen stated that the comparison of what the Village gives the EHBA compared to what other municipalities provide their business associations was surprising.
- Dickson stated that some of this has to do with the size of the municipality.
- Larson stated that this is also based on how the events operate.
- Larson said that the EHBA would like to see an increase in funding, no longer wants the requirement of a new event for additional funds, and would like to have a longer commitment of funding for 2 or 3 years.
- Cashin asked what Christmas decorations the EHBA takes care of, and Larson stated that the EHBA does the wreaths and garland on the light poles as well as the tree in Harbor View Park.
- Rasmusson stated that this year the Village's Public Works department did work with the EHBA to put up Christmas decorations however, the EHBA did provide the funding for Christmas decorations.
- Cashin asked how much the EHBA spent on Christmas decorations this year, and Rasmusson stated that this year the EHBA spent \$500-\$600 on extra lights, but would need to research an overall total.
- Rasmusson stated that the EHBA tries to add to the decorations every year.
- Cashin asked that the EHBA provide the Village with a full dollar amount for what was spent on Christmas decorations so that they have a feel for what may need to be contributed.
- Smith stated that in the past the Village provided the EHBA with a flat \$30,000 as a result of a few years with poor Pumpkin Patch results.
- Smith said that after the Pumpkin Patch event was back on its feet the Village decided to reduce the contribution as the EHBA became more independent.

- Smith stated that the EHBA has done a good job of creating new events to bring more people to the Village during slower weekends.
- Smith stated that he supports the Christmas decorations proposal as he has heard from many people that the Village of Egg Harbor is very pretty to drive through during the winter.
- Smith asked the other Trustees if they would support providing a blanket of funds to the EHBA so that they do not need to provide the Village with a proposal.
- Cashin stated that she does not have a problem with this.
- Van Laanen asked if the EHBA is asking the Village for funding for 2017 or for 2018.
- Larson stated that the EHBA is hoping for 2017 funding.
- Dickson stated that the Trustees need to have the conversation about funding for the EHBA in the fall when the budget process has begun instead of in spring when the budget is set.
- Smith stated that additional funding for the EHBA will need to be researched and will be put on the agenda for the next regularly scheduled Village Board meeting.
- Smith stated that the EHBA is asking the Village for permission to close the road again for the Door County Wine Fest event.
- Smith stated that he is on the fence about the issue, but the business he works for did very well during the event.
- Smith asked if Larson could explain what he has heard from the EHBA members about the closure of the road.
- Larson stated that there have been a few businesses opposed to the road closure however; there were many members that supported the road closure, so the results were mixed.
- Larson stated that a few EHBA members sold food outside and did very well during the event.
- Smith asked why the EHBA prefers having the event on State Hwy 42 instead of on Church St.
- Larson stated that the big reason for having the event downtown is the proximity to the food establishments.
- Larson said that last year there were a few food trucks for the event, but he feels the demand for food would be higher than what the food trucks could provide.
- Heller asked the distance from Peg Egan to the food establishments.
- Van Laanen stated that the supporters of the event really liked it, but those who were opposed really did not like the event.

- Van Laanen stated that the road closure resulted in too many unhappy people.
- Cashin asked Dickson if there were any complaints from the marina and Dickson stated that the event did make it harder to access the marina however the marina was still successful.
- Dickson pointed out that the event did bring some boaters into the marina that came to go to the Wine Fest.
- Cashin asked how the slip owners felt about the road closure and Dickson stated that there was mixed opinions.
- Dickson stated that the road closure is not ideal, but the marina staff does a very good job managing the parking situation during the day of the event.
- Van Laanen asked if the road closure could be shortened.
- Larson stated that the road could be closed from CTH G to Orchard Rd.
- Smith asked if the EHBA could wait until next month for the Village Board to make a decision.
- Smith asked that a Resolution regarding the road closure be presented to the Village Board at the next meeting and the Trustees will vote on the road closure.

C. Social Media Policy, 1st Review

- Smith stated that this is the first review of the policy and that a few years ago the Village got rid of its social media accounts because of the archiving issue.
- Smith said that Village staff has researched a company called ArchiveSocial that archives social media accounts.
- Smith said that a social media presence will help with the good will between the Village and the community.
- Heise stated that this is just a first review of the policy and social media is a great way to push out information.
- Heise stated that the social media accounts will have to be archived to comply with open records laws.
- Heise pointed out that also in an effort to support communication the meeting today is being recorded.
- Cashin stated that she has a concern with Trustees posting on the Facebook page and starting a conversation with community members and other Trustees therefore creating a walking quorum.
- Cashin stated that this issue should be addressed in the policy.
- Van Laanen stated that she felt the policy was very thorough and addressed many issues.

- Cashin asked that the Village attorney review the policy before the next meeting.

D. Library Community Center Contract

- Heise stated that the Village Board authorized Village staff to negotiate a contract with the low bidder, Boldt Construction, for the library project.
- Heise stated that the Library Ad Hoc Committee worked diligently to refine the cost of the project.
- Heise said that there was one amendment to the contract which will allow the project to have the 2nd floor completed instead of shelled out.
- Heise stated that there is also a contract with Lily Bay Sand & Gravel for the earthwork.
- Heise stated that Boldt Construction and Lily Bay Sand & Gravel have agreed that the contract be held with the Village of Egg Harbor.
- The contract with Lily Bay Sand & Gravel offers significant project savings and the contract would be in the amount of \$174,765.00.
- Heller asked about the landscaping exclusions in the Lily Bay contract and asked who will be paying for the landscaping.
- Heise stated that the Boldt construction contract contains some minimum landscaping.
- Heller asked about the interest being included in the soft cost and asked if the placement cost of the bond should also be included.
- Heise stated that this could also be included in the soft costs.
- Heller asked if the money is going to be put in some kind of an account because the interest is going to be paid over a three year period and Heise confirmed that this is correct.

Smith moved to approve the base contract bid with Boldt Construction in the amount not to exceed \$4,860,000.00 and to delegate authority to the President and appropriate officers to execute, second by Dickson, Smith amended his motion to include the base contract bid and amendment one with Boldt Construction, Dickson amended his second, motion carried. Heller voted nay.

Smith moved to approve the contract with Lily Bay Sand & Gravel LLC in the amount not to exceed \$175,000.00 and to delegate authority to the President and appropriate officers to execute, second by Cashin, motion carried. Heller voted nay.

E. HGA Continuing Services

- Heise stated that the Library Ad Hoc Committee has been going through the process of value engineering to reduce the cost of the project.

- Heise said that modifications continue the revision of the construction documents in response to the items identified as “Value Engineering” targets.
- Heise stated that the additional services will be paid for with funds from the Community Foundation.

Smith moved to approve the additional services proposal from HGA, second by Dickson, motion carried. Heller voted nay.

F. Information related to tax impact for Library project

- Heise provided the Trustees with a spreadsheet related to the tax impact on the library project for tax payers.
- Smith thanked Heise for his work on the spreadsheet.

G. Information related to borrowing for library project

- Heise provided the Trustees with the presale reports for the 2017 financing plan.
- Heller stated that for the new monies there are 3 years of interest payments with no principal payments and on the refinancing there is 2 years of interest payments and no principle payments.
- Heller stated that this should be refigured so that the tax payers’ money is not wasted.
- Heller stated that the representative from Ehlers stated that the reason for doing this is to lessen the tax bite at the time of the start of the projects.
- Heller said that the Village should explore the possibility of making principle payments from day one.
- Heise stated that he will follow up with Ehlers on this issue.
- Smith asked if the Trustees will hear the results of the sale at the next regularly scheduled Village Board meeting.

4. Village President

5. Parks and Public Works

A. Comments and remarks from Committee Chair

- Van Laanen stated that at the last Parks and Public Works meeting there was a lot of discussion, but the Committee does not have any public works recommendations for the Village Board at this time.
- Van Laanen said that the committee is still working with the engineers regarding burying the powerlines on County Highway G.
- Van Laanen stated that the Bird View Park report is very impressive and the Parks and Public Works committee is making a recommendation to implement a Bird City Ad Hoc committee.

- The committee is looking for volunteers to serve on the Bird City Ad Hoc Committee to help with Bird City efforts as well as invasive species removal.
- Van Laanen stated that birding in the Village is kind of a silent tourism draw.
- Van Laanen had asked Heller if he would be interested in chairing the Bird City Ad Hoc committee.
- Van Laanen said that the Parks and Public Works Committee are very busy and would like some help with Bird City efforts.
- Heller confirmed that he would chair the Bird City Ad Hoc Committee

B. Resolution 2017-01 International Migratory Bird Day

Smith moved to approve Resolution 2017-01 International Migratory Bird Day, second by Van Laanen, the Trustees discussed:

- Van Laanen stated that this event seems to expand every year.

motion carried.

C. Ordinance 2017-01 Bird City Ad Hoc Committee Creation

- Smith stated that staff recommends a 5 person committee with one Trustee as chair and 4 community members.
- Smith reviewed the community members that are interested in serving on the committee and stated that this is a great start.

Smith moved to approve Ordinance 2017-01 Bird City Ad Hoc Committee Creation, second by Van Laanen, motion carried.

6. Utility Committee

A. Comments and remarks from Committee Chair

- Cashin asked how the leaks were found on some laterals, and Heller explained that televising was used to detect leaks in the laterals.
- Heller stated that four leaks were found, but the Utility Committee does not know if the leaks are coming from the house or from the ground water.
- Heller said that the laterals will have to be televised from the house to the lateral.
- Heller stated that the committee is working on how this is going to be handled.
- Cashin asked about the grease trap at Shipwrecked and what the temporary fix will be for their grease trap.
- Heller said that either a permanent exterior trap will be put in or an interior trap will need to be installed to hold them over until the exterior trap can be installed.
- Cashin pointed out that this has been going on a long time.

- Smith stated that the grease trap that the Village requires businesses to have does not work for Shipwrecked.
- Smith stated that Shipwrecked uses an electric dishwasher to wash dishes instead of the four-hole sink that has the grease trap.
- Smith said that any temporary fix would not fix the problem.
- Smith said that the Pollman's are planning on ripping up their parking lot to install an underground grease trap and were waiting to do the project in conjunction with the road project.

7. Plan Commission

A. Comments and Remarks from Committee Chair

- Smith stated that the Plan Commission did hear a Conditional Use Permit application from Kathy Navis in regard to the Lighthouse Inn however; Kathy Navis has since withdrawn her application.
- Smith stated that Kathy Navis was unable to purchase the Wildflower Inn property and is in the process of looking for a new property to move the building to.
- Heise stated that he will likely recommend a special meeting to go over this issue as the contractors would like to begin construction for the library project at the end of February.

8. Harbor Committee

A. Comments and Remarks from Committee Chair

- The Committee Chair had nothing new to report.

9. Library Ad-Hoc Committee

A. Comments and Remarks from Committee Chair

- Dickson reported that everything that was covered at the last meeting was covered earlier in today's meeting.

10. Village Clerk/Treasurer

A. Year to Date financial statements

B. Room Tax Report

C. Assessor Agreement information

- Ohnesorge stated that the Village Board had requested a two year contract with the assessor and she had the assessor put together a letter explaining that a reevaluation will be taking place in 2018 and is the reason for the one year contract.

- Ohnesorge stated that she is in the process of getting a quote for the reevaluation.

D. Nomination Papers for the Spring Election

- Smith stated that there are three seats open for the Village Board, the Village President and two Trustees.
- Smith reported that Paula Cashin will not be rerunning.
- Smith said that Bob Dickson, Cambria Mueller, and Angela Lensch will be running for the two open seats for Trustees.
- Smith will be running for President unopposed.
- There will be a primary for a state race.

11. Joint Fire Commission

A. Comments and Remarks from Village Representative

- There were three fire calls and five first responder calls in the month of November.
- Cashin reported that during a firefighter training a firefighter fell 6 ft. into a ditch that was behind a house. Cashin said that the reason for the accident is believed to be that the firefighter was not holding a flashlight.
- The firefighter has a broken arm and in response to this the Chief is ordering flashlights that will be attached to the chest and will be hands free.
- Expenses totaled \$2,600 for the month of November.
- Cashin stated that the Chief really watches what he spends and has been using Amazon to order some equipment.
- Heller asked what the Village's total contribution will be for the new firetruck and Cashin stated that for 2017 the contribution is around \$79,000.
- Dickson confirmed that the total contribution for the truck will be made over two years.
- Ohnesorge stated that \$50,000 will come from the reserve fund and the remainder of the funds will need to be borrowed for the truck.

B. Select a Trustee for attendance to the next meeting

- Cashin will attend the next meeting.

12. Correspondence

13. Open Session

14. Adjournment

Dickson moved to adjourn, second by Van Laanen, motion carried.

Respectfully submitted by, Megan Vandermause