

1 **VILLAGE OF SISTER BAY BOARD OF TRUSTEES MEETING MINUTES**
2 **TUESDAY, OCTOBER 8, 2013**
3 **SISTER BAY-LIBERTY GROVE FIRE STATION – 2258 MILL ROAD**
4

5 The October 8, 2013 meeting of the Village of Sister Bay Board of Trustees was called to order
6 by Village President Dave Lienau at 6:05 PM.
7

8 **Present:** President Lienau and Trustees Pam Abshire, Donna Scattergood, Scott Baker, John
9 Clove, Pat Duffy, and Shane Solomon.
10

11 **Staff Members:** Zeke Jackson, Village Administrator, Robert Kufrin, Consultant, Juliana
12 Neuman, Finance Director, and Janal Suppanz, Administrative Assistant.
13

14 **Others:** Ron Kane, Paige Funkhouser, Greg Casperson, Wendy Tatzel and Brian Frisque.
15

16 **Approval of minutes as published:**

17 **As to the minutes for the September 17, 2013 meeting of the Village Board:**

18 *A motion was made by Baker, seconded by Duffy to approve the minutes for the September*
19 *17, 2013 meeting of the Village Board as presented. Motion carried - All ayes.*
20

21 **Comments and Correspondence:**

22 Lienau asked if anyone wished to address a non-agenda item. No one responded. He then
23 pointed out that a thank you letter which had been received from Marilyn Fouad and her dog,
24 Chester, who are “regulars” at the Dog Park, had been included in the meeting packets.
25

26 **New Business Items:**

27 **Item No. 1. Consider a motion to approve Resolution 267, approving a Certified Survey Map**
28 **for Parcel No. 181-00-06312842K, which has been assigned an address of 10621 Westwood**
29 **Drive:**

30 Corky Hellyer, a local Realtor, submitted a CSM for Village of Sister Bay Parcel No. 181-00-
31 06312842K located at 10621 Westwood Drive on behalf of Sally Mackie. There are no issues
32 associated with the proposed lot split.
33

34 Ms. Mackie will be selling her property to two different individuals. The closing for Lot 1,
35 which will be a vacant lot, took place on Friday, September 27, 2013, and the closing for Lot 2,
36 which contains a house and garage, took place on Tuesday, October 1, 2013. If the original
37 September meeting schedule had been adhered to there would not have been any problem get-
38 ting the required approvals in time for the closings, but because the September Plan Commis-
39 sion meeting actually took place after the September Board meeting that was not possible. A
40 number of people would have been inconvenienced if the previously mentioned closings had
41 to be rescheduled, and since there are no issues associated with the lot split, the Village Presi-
42 dent has already signed the CSM. Even though the CSM has already been signed, a Resolution
43 is still required.
44

45 *A motion was made by Duffy, seconded by Baker that the Village Board accepts the recom-*
46 *mendation of the Plan Commission and approves Resolution 267, which pertains to the Certi-*
47 *fied Survey Map submitted by Corky Hellyer on behalf of Sally Mackie for Village of Sister Bay*
48 *Parcel No. 181-00-06312842K. That parcel has been assigned an address of 10621 Westwood*
49 *Drive. Motion carried – All ayes.*
50
51
52

1 **Item No. 2. Consider a motion to approve Ordinance No. 218 amending the portion of the**
2 **Official Map for the Village of Sister Bay which relates to the area west of Fieldcrest Road and**
3 **north of Country Lane:**

4 Tom Schuyler has a long history with the Village regarding the land he owns on Fieldcrest
5 Road. In 2010 he was able to obtain approval of a CSM that modified lots west of Fieldcrest
6 Road, and is now requesting that he be allowed to create a new set of lots that are in conflict
7 with the approved version of the Official Map. A diagram depicting the proposed Official Map
8 amendments as well as a proposed CSM which is consistent with Mr. Schuyler's request have
9 been included in the meeting packets.

10
11 On September 28, 2013 the Plan Commission conducted a public hearing regarding the Offi-
12 cial Map amendments Mr. Schuyler is requesting, and based upon comments made at that
13 hearing and the information presented the Commission is recommending that the Official Map
14 be amended in the fashion depicted on the previously mentioned diagram.

15
16 *A motion was made by Clove, seconded by Scattergood that the Village Board accepts the rec-*
17 *ommendation of the Plan Commission and approves Ordinance No. 218, which amends the*
18 *portion of the Official Map for the Village of Sister Bay which relates to the area west of Field-*
19 *crest Road and north of Country Lane, as presented. Motion carried – All ayes.*

20
21 **Item No. 3. Consider a motion to approve Resolution 269, which approves a Certified Survey**
22 **Map for property owned by Thomas Schuyler in the area west of Fieldcrest Road and north of**
23 **Country Lane:**

24 As was previously stated, a diagram depicting the proposed CSM for Tom Schuyler's property
25 was included in the meeting packets. The members of the Plan Commission believe approval of
26 the CSM should be contingent upon Schuyler paying for any and all expenses related to crea-
27 tion and recording of a Quit Claim Deed for the property a 30' road easement is located upon.
28 That property is owned by Kevin Kasbaum. It will be the Village's responsibility to see that all
29 required paperwork is prepared and processed.

30
31 *A motion was made by Lienau, seconded by Duffy that the Village Board accepts the recom-*
32 *mendation of the Plan Commission and approves Resolution No. 269, which pertains to a Certi-*
33 *fied Survey Map for property owned by Thomas Schuyler in the area west of Fieldcrest Road*
34 *and north of Country Lane, as presented, on the condition that Schuyler must reimburse the Vil-*
35 *lage for any and all expenses related to the creation and recording of a Quit Claim Deed for the*
36 *property a 30' road easement is located upon. Motion carried – All ayes.*

37
38 **Item No. 4. Consider a motion to approve Resolution 268, pertaining to a Certified Survey**
39 **Map for Parcel No. 181-00-07312812N, which has been assigned an address of 2603 S. Bay**
40 **Shore Drive:**

41 Holly Thomas, a local Realtor, submitted a CSM on behalf of Lamperts Yards, Inc. which cre-
42 ates an outlot on Village of Sister Bay Parcel No. 181-00-07312812N. That property has been
43 assigned an address of 2603 S. Bay Shore Drive. Lamperts will be selling the outlot to Jim Mat-
44 son. On September 18, 2013 the Plan Commission reviewed the CSM and recommended that it
45 be approved. The Plan Commission members pointed out that the Village will accept a 50'
46 wide right-of-way on the officially mapped street, and directed that the CSM presented to the
47 Board should reflect that. A revised CSM was prepared, and that document was included in the
48 meeting packets.

49
50 *A motion was made by Clove, seconded by Baker that the Village Board accepts the recom-*
51 *mendation of the Plan Commission and approves Resolution No. 268, pertaining to a Certified*
52 *Survey Map for Village of Sister Bay Parcel No. 181-00-07312812N, which has been assigned*

1 *an address of 2603 S. Bay Shore Drive, as presented. Motion carried – All ayes.*

2
3 **Item No. 5. Consider a motion to approve Ordinance No. 219, which grants a Conditional**
4 **Use Permit for a second dwelling unit at 2259 Scandia Road, as well as Resolution 270, which**
5 **pertains to a Certified Survey Map combining Parcel No. 181-00-05312841F1 and Parcel No.**
6 **181-00-05312841:**

7 Allison Beadell has purchased the Thelma Erickson property on Scandia Road. Two lots are in-
8 volved – Parcel No. 181-00-05312841F1 and Parcel No. 181-00-05312841F, and Ms. Beadell
9 has requested that a Conditional Use Permit be issued pursuant to §66.0310 of the Municipal
10 Code. Ms. Beadell will live in the primary residence on Parcel No. 181-00-05312841F1, and
11 she intends to run a small acupuncture practice and create a dwelling unit for friends and fami-
12 ly members who visit in a 30' X 70' detached building which is on the property. (The acupunc-
13 ture practice will require two treatment rooms and a restroom.) The Plan Commission must ap-
14 prove home occupations, and Ms. Beadell's request to operate her acupuncture practice has al-
15 ready been approved.

16
17 It appears that the property meets all the other requirements of §66.0310 of the Zoning Code as
18 long as the secondary dwelling unit does not exceed 900 square feet. The conversion of the
19 garage to include an office and dwelling unit will require compliance with the Building Code
20 and Utility Code and payment of impact fees. There is no way to avoid creation of non-
21 conforming structures on Parcel No. 181-00-05312841F as it is only 10,000 square feet in size,
22 and, therefore, the Plan Commission is recommending that a CSM which combines the lots be
23 created.

24
25 *A motion was made by Duffy, seconded by Scattergood that the Village Board accepts the rec-*
26 *ommendation of the Plan Commission and approves Ordinance No. 219, which grants a Condi-*
27 *tional Use Permit for a second dwelling unit at 2259 Scandia Road, as well as Resolution 270,*
28 *which pertains to a Certified Survey Map combining Village of Sister Bay Parcel No. 181-00-*
29 *05312841F1 and Parcel No. 181-00-05312841, as presented. Motion carried – All ayes.*

30
31 **Item No. 6. Consider a motion to approve Resolution No. 271 designating Matthew Zeke**
32 **Jackson as the Administrator for the Village of Sister Bay:**

33 Over the past 9+ years Robert Kufirin, the former Village Administrator, signed a variety of
34 checks, documents and agreements. With his retirement there are a number of signature cards,
35 documents and agreements that need to be signed to reflect the appointment of Zeke Jackson as
36 the new Village Administrator. An applicable Resolution was included in the meeting packets.

37
38 *A motion was made by Lienau, seconded by Baker that the Village Board approves Resolution*
39 *No. 271, which designates Matthew Zeke Jackson as the new Administrator for the Village of*
40 *Sister Bay. Motion carried – All ayes.*

41
42 The Board members welcomed Jackson and indicated that they look forward to working with
43 him.

44
45 **Item No. 7. Consider a motion to approve a letter objecting to the provisions of Assembly Bill**
46 **385 which pertain to room tax, and discussion regarding the actions of the Village representa-**
47 **tives on the Door County Tourism Zone Commission with respect to that bill:**

48 Representative Garey Bies has sponsored legislation which will cause changes to be made to
49 the current room tax collection and distribution policies and procedures. That legislation has
50 been entitled "2013 Assembly Bill 385". The current legislation requires that 66% of the room
51 tax collected be paid to the Door County Visitor Bureau, that 30% of the room tax collected be
52 paid to member municipalities, and that the remaining 4% be retained by the Door County

1 Tourism Zone Commission to help cover the costs of collection and administration. If Assembly
2 Bill 385 is approved, the Tourism Zone Commission will no longer be allowed to retain 4% of
3 the taxes collected, and, therefore, villages, towns and cities will be forced to cover those addi-
4 tional expenses. Villages, towns and cities will also lose at least 3% of taxes collected so that
5 credit card processing fees are covered, which far exceeds the credit provided by the State for
6 sales taxes. Since the time that room tax was first imposed the Village committed the revenues
7 generated for waterfront debt service costs, under the assumption that building the park was a
8 tourism related expense. The Village provides support of \$50,000 per year to the Sister Bay Ad-
9 vancement Association, and since there are levy limits, it is quite likely that Assembly Bill 385
10 could have a negative impact on the SBAA as their support may have to be reduced. Kufrin
11 finds it quite disconcerting that during the entire bill sponsorship process the Village's repre-
12 sentatives on the Tourism Zone Commission never provided any feedback to the Village Presi-
13 dent or staff members that the previously mentioned amendments were being proposed. He be-
14 lieves it is very unfortunate that neither of them asked for guidance on this issue from any Vil-
15 lage officials before the Tourism Zone Commission decided that it would not oppose the
16 change. *Lienau will discuss this issue with Nora Zacek and Chad Kodanko, the Village's repre-*
17 *sentatives on the Tourism Zone Commission, and report his findings at the next Board meeting.*
18

19 Solomon pointed out that he can see merit to elimination of the 3% assessment which covers
20 credit card processing fees, as those fees can become quite burdensome for business owners.
21

22 *A motion was made by Lienau, seconded by Abshire that a letter of objection to Assembly Bill*
23 *385 shall be drafted and mailed to the appropriate legislators ASAP. That letter shall be signed*
24 *by President Lienau on behalf of the entire Board. Motion carried – All ayes.*
25

26 **Item No. 8. Consider a motion which approves the construction contract with Dorner Con-**
27 **struction of Luxemburg, WI for the North Bay Shore Drive Utility Improvement Project in the**
28 **amount of \$1,402,359.30, authorizes Village staff members and the Village's consultant(s) to**
29 **obtain firm proposals for the burying of the overhead utilities in accord with the recommen-**
30 **dations of the Bay Shore Drive Oversight Committee, and authorizes the Village President to**
31 **sign the Notice of Award and the Dorner Contract on behalf of the Village once all necessary**
32 **documentation has been obtained:**

33 Bids have been received for relocation of the storm water pipes and the sewer and water lines
34 in the downtown area. The low bid was submitted by Dorner Construction of Luxemburg, WI,
35 and the Village's engineer has recommended that the bid be accepted and a Notice of Award
36 executed by Village officials. The Bay Shore Drive Committee has also recommended that firm
37 proposals be obtained for burying of the overhead utilities in the previously mentioned area.
38

39 *A motion was made by Lienau, seconded by Solomon that the Village Board approves a con-*
40 *struction contract with Dorner Construction of Luxemburg, WI for the North Bay Shore Drive*
41 *Utility Improvement Project in the amount of \$1,402,359.30, and authorizes Village staff mem-*
42 *bers and the consultant(s) retained by the Village to obtain firm proposals for burying of the*
43 *overhead utilities in accord with the recommendations of the Bay Shore Drive Reconstruction*
44 *Oversight Committee. Once all necessary documentation has been obtained, the Village Presi-*
45 *dent shall sign the Notice of Award and the Dorner Construction contract on behalf of the Vil-*
46 *lage. Motion carried – All ayes.*
47

48 **Item No. 9. Review of the monthly financial statements and consideration of a motion to ap-**
49 **prove the monthly bills:**

50 Payment approval reports for the period September 18, 2013 through October 8, 2013 were in-
51 cluded in the meeting packets, and the Board members jointly reviewed all of those docu-
52 ments.

1 A motion was made by Lienau, seconded by Baker that the monthly bills totaling \$444,508.42
2 are all approved. Motion carried – All ayes.

3
4 **Item No. 10. Report on County activities from the County Supervisor, Dave Lienau:**

5 Lienau gave the following oral report:

- 6
7 1. The Door County Finance Committee has passed the 2014 budget on to the
8 County Board for approval. A 1.29% levy increase will be realized. There are no
9 increases in services or the number of people who will be employed by the
10 County.
11 2. Revisions will be made to the County's Employee Handbook and Administrative
12 Manual and a compensation study is being conducted.

13
14 **Item No. 11. Discussion regarding matters to be placed on a future agenda or referred to a**
15 **Committee, official or employee:**

16 Scattergood suggested that low growing ground cover be considered for the areas of the Village
17 which are not parklands, and it was the consensus that this issue shall be referred to the Parks
18 Committee.

19
20 Lienau pointed out that Marina revenues are down considerably and suggested that the Marina
21 Committee, Finance Committee and Parks Committees all be asked to address the "big picture"
22 when planning for improvements at the Marina.

23
24 **Committee Reports:**

25 **(1) Administrative Committee/Public Relations Committee**

26 The Administrative Committee/Public Relations Committee has not met recently.

27
28 **(2) Bay Shore Drive Reconstruction Oversight Ad Hoc Committee**

29 The Bay Shore Drive Reconstruction Oversight Committee has not met recently.

30
31 **(3) Door County Coastal Byways Commission**

32 No action based on the minutes which were included in the meeting packets. The Commission
33 will be meeting again on Thursday, October 10, 2013.

34
35 **(4) DCEDC**

36 No action based on the minutes which were included in the meeting packets. Bill Chaudoir
37 will be visiting Door County's "sister city" in China very soon. The DCEDC will be meeting on
38 Monday, October 14, 2013.

39
40 **(5) Economic Development Committee**

41 The Economic Development Committee has not met recently.

42
43 **(6) Finance Committee**

44 No action based on the minutes which were included in the meeting packets. The Finance
45 Committee will be meeting on Wednesday, October 16, 2013 at 5:30 P.M. That meeting will
46 be conducted at the Administration Building.

47
48 **(7) Fire Board and Fire District Exploratory Committee:**

49 No action based on the minutes which were included in the meeting packets. The Fire Board
50 has requested that Fire Department support for 2014 be increased by approximately \$9,000.

1 The Fire District Exploratory Committee has not met recently.

2
3 **(8) Historical Society**

4 No action based on the minutes which were included in the meeting packets. Work is ongoing
5 on consolidation of storage areas, and Historical Society representatives are considering several
6 options for utilization of the Old School.

7
8 **(9) Library Commission**

9 No action based on the minutes which were included in the meeting packets. The new Library
10 garden is very nice and the grand opening will be conducted next spring. The Library's support
11 request for 2014 has increased by approximately \$2,500. The next meeting of the Library
12 Commission will take place at 1:00 P.M. on November 12, 2013.

13
14 **(10) Marina Committee and Marina Fest Committee:**

15 The minutes for the October 1, 2013 meeting of the Marina Committee were included in the
16 meeting packets. The Marina Committee has recommended that the Village reduce the Mari-
17 na's payment in lieu of taxes, (PILOT), by 25% over a four year period.

18
19 Solomon voiced concerns that the Marina Committee Minutes appear to be incomplete as there
20 is a lack of detail as to the discussion which actually took place at the October 1, 2013 meet-
21 ing. Kufirin and several of the Committee members also pointed out that the statement that
22 Kufirin agreed with Sunstrom's comments concerning the purchase of the Johnson property is
23 not correct. Jackson will discuss this issue with Christy Sully and see that the minutes are han-
24 dled appropriately in the future.

25
26 The Marina Fest Committee has not met recently.

27
28 **(11) Parks**

29 No action based on the minutes which were included in the meeting packets. The Parks Com-
30 mittee met last week but those minutes have not been completed yet. The architect who is
31 working on the Pavilion Project now believes that the specifications can be revised in such
32 fashion that budgetary constraints can be met. Bids have been solicited for the beach project.

33
34 **(12) Personnel Committee**

35 The Personnel Committee met on September 26, 2013 but because Neuman was busy working
36 on the budget the minutes for that meeting weren't completed until just recently. The minutes
37 were e-mailed to the Board members prior to this meeting. The Personnel Committee will be
38 discussing a number of alternatives for health insurance coverage for the employees. It is
39 Neuman's understanding that there are regulations which require that all salaried and hourly
40 employees track their time. She will research this issue and provide further information to Jack-
41 son and the members of the Personnel Committee.

42
43 **(13) Plan Commission**

44 The October Plan Commission meeting was cancelled.

45
46 **(14) Communications/Technology Committee**

47 The Communications/Technology Committee will be meeting at 1:00 P.M. on Tuesday, Octo-
48 ber 15, 2013 at the Government Center in Sturgeon Bay. Initially the Committee members will
49 be attending the IS Committee Meeting, which is scheduled for 1:00 P.M., and after that meet-
50 ing they will meet with Tim Ullman, the Director of the County's IT Department, and Jill Lau,
51 the County Clerk, who prepare and process electronic packets on a regular basis.

1 **(15) SBAA**

2 No action based on the minutes which were included in the meeting packets. Work is ongoing
3 on planning for Fall Fest. Concerns have been raised that there appears to be a lack of commu-
4 nication between the SBAA Board members and Village officials. It was the consensus that ef-
5 forts should be made to improve those relations. Jackson indicated that he will be happy to at-
6 tend the next SBAA Board Meeting and intends to discuss this issue with the SBAA Coordinator,
7 Paige Funkhouser.

8
9 **(16) Teen Center**

10 The Teen Center Board has not met recently. Abshire has made several attempts to get a meet-
11 ing scheduled, but to date has not been successful.

12
13 **(17) Tourism Zone Commission**

14 No action based on the minutes which were included in the meeting packets. Kufrin suggested
15 that Lienau consider appointing the new Administrator to the Tourism Zone Commission.

16
17 **(18) Utilities**

18 No action based on the minutes which were included in the meeting packets.

19
20 **Adjournment:**

21 *A motion was made by Abshire, seconded by Solomon to adjourn the meeting of the Board of*
22 *Trustees at 9:36 PM. Motion carried – All ayes,*

23
24 Respectfully submitted,



25
26 Janal Suppanz,
27 Administrative Assistant