

1 **VILLAGE OF SISTER BAY BOARD OF TRUSTEES MEETING MINUTES**
2 **TUESDAY, NOVEMBER 12, 2013**
3 **SISTER BAY VILLAGE HALL – 10693 N. BAY SHORE DRIVE**
4

5 The November 12, 2013 meeting of the Village of Sister Bay Board of Trustees was called to
6 order by Village President Dave Lienau at 6:08 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 Kufirin, Consultant, Juliana
12 Neuman, Finance Director, and Janal Suppanz, Administrative Assistant.
13

14 **Others:** Paige Funkhouser and Britt and Sarah Unkefer
15

16 **Approval of minutes as published:**

17 **As to the minutes for the October 8, 2013 meeting of the Village Board:**

18 *Clove indicated that the sentence which begins on Line 14 - Page 6 should read, "The Marina*
19 *Committee has recommended that the Village reduce the Marina's payment in lieu of taxes, (PI-*
20 *LOT), by 25% over a four year period."*
21

22 *A motion was made by Solomon, seconded by Clove to approve the minutes for the October 8,*
23 *2013 meeting of the Village Board as amended. Motion carried - All ayes.*
24

25 **Comments and Correspondence:**

26 Lienau asked if anyone wished to address a non-agenda item. No one responded. Jackson
27 pointed out that a thank you letter which had been received from Roberta Kutlik for a donation
28 which had been made in memory of her husband, Ken, as well as a note from Jack
29 Moneypenny of the Door County Visitor Bureau acknowledging receipt of ad copy to be pub-
30 lished in the 2014 Door County Visitor Guide, and a request for a donation from Jon Neville,
31 the Chair of the Ephraim-Gibraltar Airport, had been included in the meeting packets.
32

33 **New Business Items:**

34 **Item No. 1. Public hearing on the 2014 Annual Budget and Capital Improvement Program:**

35 *At 6:09 P.M. Lienau called the public hearing on the 2014 Annual Budget and Capital Im-*
36 *provement Program to order and asked if anyone wished to ask questions or comment regard-*
37 *ing the budget. No one responded, and, therefore, at 6:10 P.M. he declared that the hearing*
38 *was officially closed.*
39

40 *Kufirin had a family emergency, and, therefore, Lienau declared that some deviation from the*
41 *original agenda order would occur.*
42

43 **Item No. 7. Update on the Beach Project, the Pavilion Project and the Bay Shore Drive Re-**
44 **construction Project:**

45 For quite some time the Village has been pursuing the redevelopment of Waterfront Park
46 through the expansion of the beach and construction of a performance pavilion. The timing of
47 both projects are constrained by DNR permit requirements, the summer tourism season and the
48 Bay Shore Drive Reconstruction Project, which is scheduled to commence in 2015.
49

50 Even though nine sets of plans for the Beach Expansion Project were sent to contractors, only
51 two bids were actually received. Kufirin is recommending that the Board reject both bids and di-
52 rect the Parks Committee to develop a new course of action. The low bid was \$1,411,000 and

1 the high bid was \$1,555,000. Both of those bids were nearly two times higher than the ex-
2 pected cost. There is a portion of the Beach Project which must be completed prior to the time
3 that work commences on the Bay Shore Drive Project, but given the delay on the Bay Shore
4 Drive Project there is time to change the scope of work. If the scope of work were to be
5 changed the bid opening date could be delayed to June of 2014, and the work would quite
6 likely not commence until September of 2014, which would provide for better weather and an
7 opportunity for the Village to obtain less costly sand. (One potential bidder has already con-
8 tacted Kufrin to offer suggestions on how the specifications could be modified, so it appears
9 that there is still interest in the project.)

10
11 *It was the consensus that Kufrin shall see that a letter asking for an explanation as to why the*
12 *cost estimates were so low, and expressing the Board's frustration with the outcome of the bid*
13 *process for the Beach Project shall be sent to JJR as soon as possible. Clove and Duffy stated*
14 *that they believe JJR should be asked to absorb some of the cost of the additional work.*

15
16 *A motion was made by Lienau, seconded by Clove that the Village Board rejects all bids re-*
17 *ceived on November 6, 2013 for the Beach Project and directs the Parks Committee to develop*
18 *a recommended course of action. Motion carried – All ayes.*

19
20 The bids for the Pavilion Project were also twice as high as expected. A few weeks ago Kufrin
21 and Jackson did meet with the donors as well as the architect working on the project, and in an
22 attempt to reduce costs substantial revisions have been made to the pavilion plans and bid
23 specifications. Some bid alternates will also be asked for. The Pavilion Project has again been
24 let for bids, and data regarding those bids will be presented to the Board in December. The do-
25 nors still want the Pavilion Project to succeed, and Dimension IV has been asked to contact
26 several contractors to see if they would be interested in working on the project. The bid dead-
27 line is currently November 21, 2013, but because of the Thanksgiving holiday Kufrin antici-
28 pates that a Bid Addendum will be issued a few days prior to November 21, 2013 which states
29 that the deadline has been changed to December 5, 2013.

30
31 It appears that the storm water realignment which was requested by Matt Myre with respect to
32 the Bay Shore Drive Reconstruction Project will be approved, and the project is now proceed-
33 ing on schedule.

34
35 Work is proceeding on the Utilities Reconstruction Project. There were some issues with detour
36 signage, and the contractor will be addressing the issues which were identified. If anyone has
37 complaints or questions regarding the Utilities Project they should contact Jackson or Steve Ja-
38 cobson.

39
40 **Item No. 4. Consider a motion to approve Resolution 273, which approves a Development**
41 **Agreement for the Wild Tomato, LLC:**

42 The Zoning Code requires that Development Agreements be executed for all commercial and
43 multi-family projects. The Plan Commission has approved of the proposed architectural ap-
44 pearance of the Wild Tomato, and after reviewing a series of plans related to the project has
45 recommended that the Board approve the Development Agreement which was included in the
46 meeting packets. Basically a portion of the building at 10677 N. Bay Shore Drive will be de-
47 molished and reconstructed and the remaining portion of it will be remodeled and/or refur-
48 bished.

49
50 *A motion was made by Lienau, seconded by Baker that the Village Board accepts the recom-*
51 *mendation of the Plan Commission and passes and adopts Resolution No. 273, which approves*

1 a *Development Agreement for the Wild Tomato Restaurant located at 10677 N. Bay Shore*
2 *Drive. Motion carried – All ayes.*

3
4 The Board members indicated that they are very pleased that The Wild Tomato will be coming
5 to the Village and also stated that they are happy to see that the building at 10677 N. Bay Shore
6 Drive will be utilized to the fullest extent.

7
8 **Item No. 13. Consider a motion to convene into closed session pursuant to Wis. Stats.,**
9 **§19.85(1)(c) to discuss employment, promotion, compensation or performance evaluation da-**
10 **ta of any public employee over which the governmental body has jurisdiction or exercises re-**
11 **sponsibility; §19.85(1)(e) to deliberate or negotiate the purchase of public properties, the in-**
12 **vestment of public funds, or conduct other specified public business, whenever competitive**
13 **or bargaining reasons require a closed session; and §19.85(1)(g) to confer with legal counsel**
14 **for the governmental body who is rendering oral or written advice concerning strategy to be**
15 **adopted by the body with respect to litigation in which it is or is likely to become involved:**

16 *At 6:41 PM a motion was made by Lienau, seconded by Duffy that the Village Board convene*
17 *into closed session pursuant to Wis. Stats., §19.85(1)(c) to discuss employment, promotion,*
18 *compensation or performance evaluation data of any public employee over which the govern-*
19 *mental body has jurisdiction or exercises responsibility; §19.85(1)(e) to deliberate or negotiate*
20 *the purchase of public properties, the investment of public funds, or conduct other specified*
21 *public business, whenever competitive or bargaining reasons require a closed session; and*
22 *§19.85(1)(g) to confer with legal counsel for the governmental body who is rendering oral or*
23 *written advice concerning strategy to be adopted by the body with respect to litigation in which*
24 *it is or is likely to become involved. A roll call vote was taken on the motion, and the Board*
25 *members voted in the following fashion:*

26
27 *Abshire – Aye; Baker – Aye; Clove – Aye;*
28 *Duffy – Aye. Lienau – Aye; Scattergood – Aye;*
29 *Solomon – Aye.*

30 *Motion carried.*

31
32 **Item No. 14. Consider a motion to reconvene into Open Session:**

33 *At 7:01 PM a motion was made by Lienau seconded by Solomon that the Board reconvene into*
34 *Open Session. A roll call vote was taken on that motion, and the Board members again voted in*
35 *the following fashion:*

36
37 *Abshire – Aye; Baker – Aye; Clove – Aye;*
38 *Duffy – Aye. Lienau – Aye; Scattergood – Aye;*
39 *Solomon – Aye*

40 *Motion carried.*

41
42 **Item No. 15. Consider a motion to take action, if required:**

43 No formal action was taken.

44
45 *At 7:02 P.M. a brief recess was taken and Kufirin left the meeting. The Board reconvened at*
46 *7:05 P.M.*

47
48 **Item No. 2. Consider a motion to approve Resolution No. 272 adopting the 2014 Annual**
49 **Budget and Capital Improvement Program:**

50 Jackson made a Power Point presentation regarding the 2014 Budget, and the Board members
51 jointly reviewed that document. If the budget is approved taxes will increase by \$12 per

1 \$100,000 of property valuation. Lienau thanked Neuman, the members of the Personnel Com-
2 mittee, the members of the Parks Committee, the members of the Marina Committee and the
3 members of the Finance Committee for all the work they did on the budget.
4

5 *A motion was made by Lienau, seconded by Duffy that the Village Board approves Resolution*
6 *272, which adopts the 2014 Budget and Capital Improvement Program for the Village of Sister*
7 *Bay, as presented. Motion carried – All ayes.*
8

9 **Item No. 3. Consider a motion to authorize the Village Administrator to execute group health**
10 **insurance benefit documents and authorize employee health care changes:**

11 Compliance with the Affordable Care Act has necessitated changes in how health care benefits
12 for employees are managed. Further, the HRA component of the benefit package is no longer
13 allowed with individual plans. Staff members have been investigating alternate insurance cov-
14 erage, and at this time it appears that a group policy will be the best option. Midwest Insurance
15 Brokerage is working on obtaining quotes for that type of insurance coverage as well as plan al-
16 ternatives. The Finance Committee has recommended a maximum increase to \$120,000 in total
17 health care benefit outlay, which equates to an increase of approximately \$8,000 over last year.
18 In order to equitably distribute this funding, the Committee recommended that the health insur-
19 ance distribution total “up to” \$10,000 per covered employee or employee family unit. The ag-
20 gregate change is reflected in the 2014 proposed budget. After the quotes are received the Per-
21 sonnel Committee will be addressing this issue one more time and then a presentation will be
22 made to the employees. Mike Dietz will also be asked to meet with the employees.
23

24 *A motion was made by Duffy, seconded by Baker that the Village Board authorizes the Village*
25 *Administrator to execute any and all 2014 health benefit documents on behalf of the Village,*
26 *subject to Personnel Committee review and approval. Motion carried – All ayes.*
27

28 **Item No. 5. Public hearing on the proposed Wastewater Billing Fees for 2014:**

29 **Item No. 6. Consider a motion to approve Resolution No. 274, which approves billing fees**
30 **for the Wastewater Utility:**

31 *Neither of these agenda items were addressed as the determination has been made that further*
32 *research will be required regarding wastewater billing fees.*
33

34 **Item No. 8. Discussion regarding the Door County First Responder Group Agreement:**

35 The Fire Board has requested input from Village and Town of Liberty Grove officials on Door
36 County’s update to the First Responder Group Agreement, a copy of which was included in the
37 meeting packets. For many years the County paid Worker’s Compensation premiums for First
38 Responders, but that is no longer the case. The agreement specifies recommended Worker’s
39 Compensation insurance coverage levels for local First Responder entities and places the re-
40 sponsibility for providing that coverage on those entities, but the County will provide some re-
41 imbursements.
42

43 *It was the consensus that the Door County First Responder Group Agreement which was re-*
44 *viewed at this meeting is acceptable.*
45

46 **Item No. 9. Update on State of Wisconsin, ex rel. West Capitol, Inc. v. The Village of Sister**
47 **Bay and the Board of Review for the Village of Sister Bay – Door County Circuit Court File**
48 **Nos. 10-CV-353, 11-CV-298 and 12-CV-241:**

49 A copy of the Decision regarding the Plaintiff’s Complaints for a Writ of Certiorari in regard to
50 the above-entitled actions was included in the meeting packets, and the Board members jointly
51 reviewed that document. The Court has denied all three of the Plaintiff’s complaints.

Item No. 10. Discussion regarding a letter of appreciation for the Village's previous Assessor:

For over 30 years Mike Walker, who retired at the end of 2012, served as the Assessor for the Village of Sister Bay. Lienau and Duffy believe Walker should be formally recognized for his service, and the other Board members concurred. Jackson will see that a letter of appreciation is mailed to Walker on behalf of the Village Board and the entire community ASAP.

Item No. 11. Review of the monthly financial statements and consideration of a motion to approve the monthly bills:

Payment approval reports for the period October 10, 2013 through November 12, 2013 as well as Revenue and Expenditure Comparison to Budget Reports were included in the meeting packets, and the Board members jointly reviewed all of those documents.

A motion was made by Lienau, seconded by Solomon that the monthly bills totaling \$188,405.78 are all approved. Motion carried – All ayes.

Item No. 12. Report on County activities from the County Supervisor, Dave Lienau:

Lienau gave the following oral report:

1. The only item which was addressed by the County Board last month was the 2014 Budget. No members of the public appeared for the public hearing, and, therefore, it was a very short meeting.

Item No. 13. Consider a motion to convene into closed session pursuant to Wis. Stats., §19.85(1)(c) to discuss employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility; §19.85(1)(e) to deliberate or negotiate the purchase of public properties, the investment of public funds, or conduct other specified public business, whenever competitive or bargaining reasons require a closed session; and §19.85(1)(g) to confer 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 7:54 PM a motion was made by Lienau, seconded by Duffy that the Village Board convene into closed session pursuant to Wis. Stats., §19.85(1)(c) to discuss employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility; §19.85(1)(e) to deliberate or negotiate the purchase of public properties, the investment of public funds, or conduct other specified public business, whenever competitive or bargaining reasons require a closed session; and §19.85(1)(g) to confer 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. A roll call vote was taken on the motion, and the Board members voted in the following fashion:

Abshire – Aye;	Baker – Aye;	Clove – Aye;
Duffy – Aye.	Lienau – Aye;	Scattergood – Aye;
	Solomon – Aye.	

Motion carried.

Item No. 14. Consider a motion to reconvene into Open Session:

At 7:55 PM a motion was made by Lienau seconded by Solomon that the Board reconvene into Open Session. A roll call vote was taken on that motion, and the Board members again voted in the following fashion:

1 *Abshire – Aye;* *Baker – Aye;* *Clove – Aye;*
2 *Duffy – Aye.* *Lienau – Aye;* *Scattergood – Aye;*
3 *Solomon – Aye*

4 *Motion carried.*

5
6 **Item No. 15. Consider a motion to take action, if required:**

7 No formal action was taken.

8
9 **Committee Reports:**

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

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

12
13 **(2) Bay Shore Drive Reconstruction Oversight Ad Hoc Committee**

14 A joint meeting of the Bay Shore Drive Reconstruction Oversight Committee and Wisconsin
15 Department of Transportation officials will be conducted at 5:30 P.M. on Tuesday, November
16 19, 2013. The meeting will be informational in nature.

17
18 **(3) Communication and Technology Committee**

19 No action based on the minutes which were included in the meeting packets. Lienau has made
20 arrangements to have the next Board meeting videotaped, televised and broadcast on YouTube.
21 Paperless meeting packets will be utilized in the near future, and, to that end, thirteen “Xooms”
22 and carrying cases for them have been ordered. They should be arriving soon and will be pro-
23 vided to all the Board members as well as the Plan Commission members. Training will be pro-
24 vided.

25
26 **(4) Door County Coastal Byways Commission**

27 No action based on the minutes which were included in the meeting packets. All the compo-
28 nents of the Village’s Coastal Byways Kiosk are being stored at the Parks Building. The Com-
29 mission members recently took a “kiosk tour” and portions of that tour were televised. A photo
30 shoot was also done by the Egg Harbor Coastal Byways Kiosk.

31
32 **(5) DCEDC**

33 No action based on the minutes which were included in the meeting packets. The DCEDC met
34 yesterday and Jackson was elected as an Ex-Officio member of the DCEDC Board of Directors.
35 Bill Chaudoir gave a report on his “sister city” visit to China.

36
37 **(6) Economic Development Committee**

38 The Economic Development Committee has not met recently, but the final draft of the Re-
39 Development Plan has now been received, so a meeting will be scheduled soon.

40
41 **(7) Finance Committee**

42 No action based on the minutes which were included in the meeting packets. The Committee
43 was very busy over the past few weeks as work was done on the 2014 Budget.

44
45 **(8) Fire Board and Fire District Exploratory Committee:**

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

47
48 Due to his work schedule Lienau is not able to attend Fire Board Meetings. He asked that any-
49 one who is interested in serving as a Fire Board member contact him ASAP.

50
51 The Fire District Exploratory Committee has not met recently.

1 **(9) Historical Society**

2 The Historical Society did meet in November, but Scattergood was not able to attend that meet-
3 ing as she was ill. She will see that the minutes are provided to the employees in the Admin-
4 istration Office ASAP.

5
6 **(10) Library Commission**

7 The Library Commission just met this afternoon, so those meeting minutes are not available yet.
8 Jackson did attend that meeting. Things are going well at the Library and the fall/winter hours
9 are being adhered to.

10
11 **(11) Marina Committee and Marina Fest Committee:**

12 The minutes for the November 4, 2013 meeting of the Marina Committee were provided to the
13 Board members prior to this meeting. The Committee appreciates the grant of \$25,000 from the
14 Village and will be prioritizing capital outlay requests so that a 5 year plan can be prepared.
15 The Marina Manager, Wendy Tatzel will be attending a conference on docks and dock man-
16 agement and has obtained a grant which will cover a majority of her expenses.

17
18 The Marina Fest Committee met last night. For the most part the committee members were very
19 happy with Marina Fest, 2013, but they did point out that there was some “dead time” in the af-
20 ternoon because the Strong Man Show was not conducted. A new activity which is being con-
21 sidered for next year is cardboard boat races. Digital media marketing will be done for Marina
22 Fest, 2014. Lienau noted that Sharon Doersching has resigned from the Marina Fest Committee.
23 If anyone is interested in serving as Co-Chair of that event they should contact him.

24
25 **(12) Parks**

26 No action based on the minutes which were included in the meeting packets. The Parks Com-
27 mittee met on November 6, 2013, but those minutes have not been completed yet. A Polaris
28 Brutus will be purchased for the Maintenance Department. That piece of equipment, which is
29 an all-around utility vehicle, will be used for clearing snow off the sidewalks, and will also be
30 used in the parks and at the ice rink.

31
32 **(13) Personnel Committee**

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

34
35 **(14) Plan Commission**

36 The Plan Commission met on November 7, 2013, but those minutes have not been completed
37 yet. At that meeting the Wild Tomato project was reviewed and a recommendation made that
38 the Development Agreement be approved.

39
40 **(15) SBAA**

41 No action based on the minutes which were included in the meeting packets. A Profit & Loss
42 Statement for the third quarter of 2013 was included in the meeting packets. The SBAA Board
43 of Directors also met on November 7, 2013 and Jackson attended that meeting. Work will be
44 done on the SBAA budget soon and “actual” rather than “projected” income will be taken into
45 consideration.

46
47 Paige Funhouser, the SBAA Coordinator, pointed out that “Capture The Spirit” will be conduct-
48 ed in the Village on Friday, November 29, 2013 and Saturday, November 30, 2013. The tree
49 lighting ceremony will take place on Friday night and Mrs. Claus and Father Christmas will
50 make an appearance. Cookie decorating will take place at the Fire Station on Saturday and
51 many local businesses will be offering holiday “specials” throughout the weekend. Everyone is

1 welcome and encouraged to attend that event.

2
3 *A motion was made by Solomon, seconded by Lienau that the quarterly support for the SBAA*
4 *be released ASAP. Motion carried – All ayes.*

5
6 **(16) Teen Center**

7 The Teen Center Board has not met recently. Abshire has continually requested that a Teen
8 Center Board Meeting be scheduled, but to date that has not occurred. Deb Anderson did at-
9 tend the last Parks Committee Meeting and will be collaborating with Jordan Burress of the
10 YMCA concerning potential Teen Center programming. Suppanz will contact Anderson regard-
11 ing the need for a Teen Center Board meeting to be scheduled soon and will see that an Agen-
12 da is prepared and distributed ASAP.

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

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

16
17 **(18) Utilities**

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

19
20 **Item No. 16. Discussion regarding matters to be placed on a future agenda or referred to a**
21 **Committee, official or employee:**

22 The Finance Committee has had a number of conversations regarding creation of a PTO Pro-
23 gram for the employees. This matter was referred to the Personnel Committee.

24
25 An Ad Hoc Committee will be created which will be charged with addressing infrastructure
26 improvements which are needed or desired at a number of Village facilities. Lienau anticipates
27 that appointments will be made soon.

28
29 Jackson will be appointed to the Tourism Zone Commission at the December Board meeting.

30
31 **Adjournment:**

32 *A motion was made by Abshire, seconded by Scattergood to adjourn the meeting of the Board*
33 *of Trustees at 8:29 P.M. Motion carried – All ayes,*

34
35 Respectfully submitted,

36 

37 Janal Suppanz,
38 Administrative Assistant