

1 **VILLAGE OF SISTER BAY BOARD OF TRUSTEES MEETING MINUTES**
2 **TUESDAY, SEPTEMBER 16, 2014**
3 **SISTER BAY-LIBERTY GROVE FIRE STATION – 2258 MILL ROAD**
4

5 The September 16, 2014 meeting of the Village of Sister Bay Board of Trustees was called to
6 order by Village President Dave Lienau at 7:00 PM.
7

8 **Present:** Village President Dave Lienau and Trustees Scott Baker, John Clove, Shane Solomon,
9 Pat Duffy, Nora Zacek, and Kathy Enquist.
10

11 **Staff Members:** Village Administrator Zeke Jackson, Finance Director Juliana Neuman, Utility
12 Superintendent Steve Jacobson and Janal Suppanz, Administrative Assistant.
13

14 **Others:** Laddie Chapman, Brian Frisque, Greg Casperson and Mary Kay Shumway.
15

16 **Approval of minutes as published:**

17 **As to the minutes for the August 19, 2014 meeting of the Village Board:**

18 *Clove indicated that before the minutes for the August 19th meeting were actually approved he*
19 *wanted to see the comments he and Duffy made concerning the Utility PILOT program*
20 *included in them. Therefore, this Agenda item was tabled until the October 21, 2014 meeting*
21 *of the Village Board.*
22

23 **Comments and Correspondence**

24 Lienau asked if anyone wished to comment regarding a non-agenda item. No one responded.
25 He also noted that the following pieces of correspondence were included in the meeting
26 packets:

- 27 • A letter from Bob Kupfer in which he voices opposition to the Village Board's decision
28 to impose a Utility PILOT;
- 29 • A donation request and spreadsheet which were received from the Door County
30 Humane Society; and,
- 31 • A call log which was received from the Door County Sheriff's Department for the period
32 May 1, 2014 through August 30, 2014.
33

34 Jackson read a letter he had received from Chris Halbur of the DNR aloud. In that letter Halbur
35 states that she is pleased to inform Village officials that the Village's application for a
36 Stewardship Grant for the Beach Expansion Project has been tentatively approved. If final
37 approval is granted the Village will receive a grant in the amount of \$489,285!!!
38

39 **New Village Board Business**

40 **Item No. 1. Consider a motion to act on a recommendation from the Plan Commission to pass**
41 **and adopt Resolution 297 approving a Certified Survey Map for John Stollenwerk for the area**
42 **west of Little Sister Road:**

43 John Stollenwerk is requesting that he be allowed to create a new set of lots which will
44 recombine and then divide two existing, adjacent lots. (Those lots are currently assigned parcel
45 numbers 181-23-0011 and 181-23-0009.) A copy of a proposed Certified Survey Map (CSM)
46 was included in the meeting packets and the Board members jointly reviewed that document.
47 The Plan Commission has recommended that the CSM be approved.
48
49

1 A motion was made by Lienau, seconded by Baker that the Village Board accepts the
2 recommendation of the Plan Commission and passes and adopts Resolution 297, which
3 approves the Certified Survey Map John Stollenwerk submitted for Village of Sister Bay Parcel
4 Nos. 181-23-0011 and 181-23-0009. Motion carried – All ayes.

5
6 **Item No. 2. Consider a motion to act on a recommendation of the Plan Commission to**
7 **approve Ordinance No. 231, amending and recreating §66.0505(e)(2)(h) – Delivery Trucks in**
8 **Residential Neighborhoods for Home Based Businesses:**

9 Apparent conflicts exist between how home-based business owners and residents are treated in
10 the Zoning Code. (Home-based business owners may have limited deliveries, but there are no
11 delivery limits imposed for residents.) Technological advances and the rise of Amazon and
12 other online retailers would indicate that a change in the Zoning Code is warranted.

13
14 A motion was made by Lienau, seconded by Solomon that the Village Board accepts the
15 recommendation of the Plan Commission and approves Ordinance No. 231, which amends
16 §66.0505(e)(2)(h) of the Zoning Code – Delivery Trucks in Residential Neighborhoods, as
17 presented. Motion carried – All ayes.

18
19 **Item No. 3. Consider a motion to act on a recommendation from the Plan Commission to**
20 **approve Ordinance No. 232, amending and recreating §66.0505 – Wind Energy Towers:**

21 Apparent conflicts exist between Chapter PSC 128 of the Wisconsin Administrative Code, 2009
22 Act 40 and §66.0505 of the Zoning Code. (The previously mentioned State regulations
23 supersede local authority to zone for wind energy towers except in incredibly specific
24 circumstances to protect the health, safety and welfare of citizens.) Ordinance No. 232 was
25 drafted in an attempt to bring the Zoning Code into compliance with the State regulations and
26 preclude future lawsuits based on wind energy tower siting. The Plan Commission has
27 recommended that Ordinance No. 232 be approved.

28
29 A motion was made by Lienau, seconded by Solomon that the Village Board accepts the
30 recommendation of the Plan Commission and approves Ordinance No. 232, amending and
31 recreating §66.0505 – Wind Energy Towers, as presented. Motion carried – All ayes.

32
33 **Item No. 7. Consider a motion to pass and adopt Resolution No. 299, accepting a secondary**
34 **offer on the Old School Property:**

35 The Village Board previously accepted Al Gokey's offer to purchase the Old School property
36 for \$415,000. The grace period mentioned in that offer will expire on September 25, 2014. On
37 August 27, 2014 the Finance Committee reviewed another offer which had been received from
38 Premier Real Estate for the Old School Property. The terms of the Premier Real Estate offer are
39 substantially similar to the previously accepted Gokey offer. Premier Real Estate would like to
40 develop the property into luxury Swedish-style apartments. The Finance Committee has
41 recommended that the secondary offer be accepted in the event Gokey does not meet the
42 requirements outlined in his Offer to Purchase.

43
44 Mary Kay Shumway, a local Realtor, indicated that Premier Real Estate is a renowned rental
45 company and the owners of that company have "grand plans" for the Old School property. She
46 firmly believes there is a need for the type of housing they will provide and knows the project
47 would be a "wonderful addition" to the Village.

48
49 A motion was made by Baker, seconded by Zacek that the Village Board accepts the
50 recommendation of the Finance Committee and passes and adopts Resolution No. 299

1 *accepting the secondary offer for the Old School Property submitted by Premier Real Estate in*
2 *the amount of \$415,000. Motion carried – All ayes.*

3
4 **Item No. 8. Consider a motion to approve paving a second lift of asphalt on Cherrywood**
5 **Lane:**

6 For quite some time money has been held in escrow for a second lift of asphalt on Cherrywood
7 Lane. (This action was taken in accord with an agreement which was entered into with Dick
8 Horbinski.) The Door County Highway Department has offered two alternatives for the required
9 work. A 1.5" lift will cost \$22,000 and a 2" lift will cost \$28,200. A 2" lift is standard and John
10 Kolodziej, the Highway Commissioner, is recommending that that option be chosen.

11
12 *A motion was made by Baker, seconded by Duffy that the Village Board approves of the*
13 *installation of a 2" lift of asphalt on Cherrywood Lane in accord with the agreement Village*
14 *officials entered into with Dick Horbinski a number of years ago. Motion carried – All ayes.*

15
16 **Item No. 9. Consider a motion to confirm and appoint President Lienau's nomination of**
17 **qualified citizens to fill vacancies on committees, commissions and boards in the Village of**
18 **Sister Bay:**

19 Lienau indicated that he would like to nominate Kathy Enquist to fill all the vacancies on
20 committees which were created as a result of Pam Abshire's resignation from the Board.

21
22 *A motion was made by Clove, seconded by Solomon that the Village Board confirms President*
23 *Lienau's nomination of Kathy Enquist to fill the vacancies on the Library Commission, the*
24 *Personnel Committee, the Teen Center Board and the Administration and Benefits Oversight*
25 *Committee. Motion carried – All ayes.*

26
27 **Item No. 10. Report on County activities from the County Supervisor, Dave Lienau:**

28 Lienau gave the following oral report:

- 29
 - *Work is ongoing on the Door County budget for 2015. Several amendments were*
30 *suggested and referrals have been made to the affected committees. The final version of*
31 *the budget should be presented to the County Board in November.*

32
33 **Item No. 4. Consider a motion to convene into closed session pursuant to Wis. Stats.,**
34 **§19.85(1)(e) to deliberate or negotiate the purchase of public properties, the investment of**
35 **public funds, or conduct other specified public business, whenever competitive or bargaining**
36 **reasons require a closed session:**

37 *At 7:31 P.M. a motion was made by Lienau, seconded by Solomon that the Village Board*
38 *convene into closed session pursuant to Wis. Stats., §19.85(1)(e) to deliberate or negotiate the*
39 *purchase of public properties, the investment of public funds, or conduct other specified public*
40 *business, whenever competitive or bargaining reasons require a closed session. A roll call vote*
41 *was taken on the motion and the Board members voted in the following fashion:*

42
43 *Baker – Aye; Clove – Aye; Duffy – Aye;*
44 *Enquist – Aye; Lienau – Aye; Solomon – Aye;*
45 *Zacek – Aye.*

46 *Motion carried.*

47
48 **Item No. 5. Consider a motion to reconvene into open session:**

49 *At 7:41 P.M. a motion was made by Lienau, seconded by Baker that the Village Board*
50 *reconvene into open session. Another roll call vote was taken, and the results of that vote were*

1 as follows:

2
3 Baker – Aye;
4 Enquist – Aye;

Clove – Aye;
Lienau – Aye;
Zacek – Aye.

Duffy – Aye;
Solomon – Aye;

5
6 Motion carried.

7
8 **Item No. 6. Consider a motion to take action, if required:**

9 A motion was made by Clove, seconded by Baker that the Village Board authorizes the
10 purchase of a 30' easement on Applewood Lane from Barbara Hull for \$30,000. Motion carried
11 – All ayes.

12
13 **Item No. 11. Review of the financial statements and consideration of a motion to approve the**
14 **monthly bills:**

15 Payment Approval Reports for the period August 21, 2014 through September 16, 2014 were
16 included in the meeting packets, and the Board members jointly reviewed those documents.

17
18 A motion was made by Lienau, seconded by Solomon that the monthly bills depicted on the
19 reports which were included in the meeting packets totaling \$212,308.57 are all approved.
20 Motion carried – All ayes.

21
22 **Committee Reports:**

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

24 The Administrative Committee is recommending that an ad hoc committee comprised of two
25 Trustees, an SBAA representative and a member of the public be created. The Committee will
26 be charged with planning for the use of the beach and the performance pavilion and marketing
27 and promotion of those appurtenances. This issue will be addressed at the next meeting of the
28 Village Board.

29
30 It was the consensus that a representative of the Door County Visitor Bureau shall be asked to
31 make a presentation to the Board regarding the guidelines for the use of community marketing
32 funds.

33
34 **(2) Bay Shore Drive Reconstruction Oversight Ad Hoc Committee**

35 The Bay Shore Drive Reconstruction Oversight Ad Hoc Committee met recently and during that
36 meeting the Committee members chose street light fixtures and poles as well as banner holders.
37 The targeted start date for overhead utility line burial is on or about February 1st. While the
38 work is done there will only be one lane of traffic downtown.

39
40 **(3) Communication and Technology Committee**

41 The Communication and Technology Committee has not met recently. The employees at the
42 County's IT Department have requested that the conduit for underground fiber be installed
43 when the work is done on the line burial project.

44
45 **(4) Door County Coastal Byways Commission**

46 No action based on the minutes which were included in the meeting packets. The Committee
47 met on Thursday, September 11th, but those minutes have not been completed yet.

48
49 **(5) DCEDC**

50 No action based on the minutes which were included in the meeting packets. The regular

1 monthly meeting of the DCEDC was conducted on September 8th, but those minutes have also
2 not been completed yet. A Bass Master's Championship Fishing Tournament will be conducted
3 in Sturgeon Bay from September 27, 2015 through October 4, 2015. This will be a huge boost
4 to the economy throughout Door County.

5
6 **(6) Economic Development Committee**

7 A proposal has been received for marketing of the properties which were identified in the
8 Economic Development Plan and two of the affected property owners have agreed to help pay
9 the associated costs.

10
11 **(7) Finance Committee**

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

13
14 **(8) Fire Board and Fire District Exploratory Committee:**

15 No action based on the minutes which were included in the meeting packets. A Fire
16 Department budget request will be presented to the Finance Committee soon.

17
18 There is a note in the Fire Board Meeting Minutes that four or five people have fallen off the
19 bluff at Ellison Bay Bluff Park in the past two years. The suggestion was made that this issue be
20 referred to County officials for study/resolution of any identified safety issues.

21
22 **(9) Historical Society**

23 No action based on the minutes which were included in the meeting packets. The Historical
24 Society Board of Directors met last week but Zacek was unable to attend that meeting.

25
26 **(10) Library Commission**

27 No action based on the minutes which were included in the meeting packets. The Library's
28 budget request has been received. The Village's required contribution will increase by
29 approximately \$2,500 in 2015.

30
31 **(11) Marina Committee and Marina Fest Committee:**

32 No action based on the minutes which were included in the meeting packets. The Marina
33 Committee also met this afternoon. The Marina's budget request has been finalized and will be
34 submitted to the Finance Committee.

35
36 Solomon stated that Marina Fest went "swimmingly" and turned out as good as it possibly
37 could considering the weather.

38
39 **(12) Parks**

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

41
42 **(13) Personnel Committee**

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

44
45 **(14) Plan Commission**

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

47
48 **(15) SBAA**

49 No action based on the minutes which were included in the meeting packets. Work is ongoing
50 on planning for Fall Fest. A Pre-Fall Fest Organizational Meeting will be conducted tomorrow

1 at 7:00 P.M. That meeting will be conducted in the Village Hall.

2
3 **(16) Teen Center**

4 The Teen Center Board has not met recently.

5
6 **(17) Tourism Zone Commission**

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

8
9 **(18) Utilities – Water, Sewer, and Storm Sewer Committees**

10 Neither the Utilities Committee nor the Water, Sewer and Storm Sewer Committee have met
11 recently.

12
13 **(19) Administration/Compensation Oversight**

14 No action based on the minutes which were included in the meeting packets. Lienau
15 anticipates that the Administration/Compensation Oversight Committee will formulate a
16 recommendation to the Board by October or November.

17
18 **(20) Waterfront Oversight**

19 The Waterfront Oversight Committee has not met recently.

20
21 **12. Discussion regarding matters to be placed on a future agenda or referred to a committee,**
22 **official or employee:**

23 *The following issues will be placed on a future agenda or referred to a committee, official or*
24 *employee:*

- 25
26
 - A representative of the Door County Visitor Bureau will be asked to make a
27 presentation regarding the guidelines for use of Community Marketing funds at a future
28 Village Board Meeting.
 - County officials will be asked to conduct a study regarding the safety issues associated
29 with the bluff at Ellison Bay Bluff Park.
 - The following item will be added to the Agenda for the October 21st meeting of the
30 Village Board:

31
32
33 *Consider a motion to approve revised Committee/Commission By-Laws which*
34 *include creation of an ad hoc committee comprised of two Trustees, an SBAA*
35 *representative and a member of the public. (That Committee will be charged*
36 *with planning for the use of the beach and the performance pavilion, and*
37 *marketing and promotion of those appurtenances.)*

38
39 **Adjournment:**

40 *A motion was made by Enquist, seconded by Zacek to adjourn the meeting of the Board of*
41 *Trustees at 8:46 P.M. Motion carried – All ayes,*

42
43 Respectfully submitted,

44 

45 Janal Suppanz,
46 Administrative Assistant