

1 **VILLAGE OF SISTER BAY BOARD OF TRUSTEES MEETING MINUTES**
2 **TUESDAY, SEPTEMBER 15, 2015**
3 **SISTER BAY VILLAGE HALL – 10693 N. BAY SHORE DRIVE**
4

5 The September 15, 2015 meeting of the Village of Sister Bay Board of Trustees was called to
6 order by Village President Dave Lienau at 6:51 P.M.
7

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

10 **Excused:** Shane Solomon
11

12 **Staff Members:** Village Administrator Zeke Jackson and Assistant Administrator Janal Suppanz.
13

14 **Others:** Steve Musinsky, Don Howard, Marge Grutzmacher, Judith Ross Stevenson, Sharon
15 Doersching, Denise Bhirdo, Ken Church, Trudy Jischke, Mike Schell, Ron Kane, Jamison Brown
16 and Jay MacDonald of Living Labs and one other individual.
17

18 **Approval of the Agenda and Minutes as published:**
19

20 *A motion was made by Duffy, seconded by Zacek that the Agenda for the September 15, 2015*
21 *meeting of the Village of Sister Bay Board of Trustees be approved as presented. Motion carried*
22 *– All ayes.*
23

24 *A motion was made by Duffy, seconded by Clove that the minutes for the August 18, 2015*
25 *meeting of the Village of Sister Bay Board of Trustees be approved as presented. Motion carried*
26 *– All ayes.*
27

28 **Comments and correspondence:**

29 Jackson noted that the following pieces of correspondence had been received and read all of
30 them aloud:

- 31 • A letter from Rodney Hedeem concerning the assessment process;
- 32 • An e-mail from Paul Kelnhofer concerning a number of issues associated with the
33 quarry;
- 34 • A letter from Bruce Scher concerning relocation of the Fall Fest helicopter landing
35 site and establishment of a snowmobile trail in the Village; and,
- 36 • A letter from Shirley Adams in which she states that she is opposed to expansion
37 of the quarry.
38

39 Lienau asked if anyone wished to comment regarding a non-agenda item.
40

41 Denise Bhirdo suggested that whenever there is a recommendation that official Village
42 documents be revised, the Village Administrator see that the proposed revisions are highlighted
43 in the packet materials which are posted on line. She also noted that she had questions
44 concerning the actions of the Administrative Committee and the Fire Board, but would like to
45 ask those questions when Committee reports are addressed. Lienau responded that he would
46 allow that procedure.
47
48
49

1 **Item No. 1. Public Hearing on the 2015 Wastewater Rate Study and proposed rate changes;**
2 **Discussion on the 2015 proposed Wastewater Rate Study; and consider a motion for action to**
3 **approve Resolution No. 315, Establishing Various Rates and Charges for Wastewater Service:**

4 *At 6:59 P.M. Lienau called the Public Hearing on the 2015 Wastewater Rate Study and*
5 *proposed rate changes to order and asked if anyone wished to comment regarding that issue.*
6

7 *An analysis of wastewater rates was recently performed by Utilities staff members. Many hours*
8 *were spent verifying values and allocations, and the Utilities Committee members have*
9 *recommended that the study data as well as the proposed new rates, which are based upon*
10 *established formulas and are contained on the documents which had been included in the*
11 *meeting packets, be approved.*
12

13 *Sharon Doersching stated that she believes those who take actions to protect the environment*
14 *should be “rewarded” for their actions.*
15

16 *At 7:10 P.M. Lienau asked if anyone else wished to comment regarding the proposed rate*
17 *changes, and when no one responded he declared that the public hearing was officially closed.*
18

19 *A motion was made by Duffy, seconded by Enquist that the Village Board accepts the*
20 *recommendation of the Utilities Committee and approves Resolution No. 315, which*
21 *establishes new rates and charges for wastewater services. Motion carried – All ayes.*
22

23 **Item No. 2. Public Hearing regarding the provisions of Ordinance No. 239, which establishes**
24 **impact fees for water system improvements; Discussion regarding Ordinance No. 239, which**
25 **establishes impact fees for water system improvements; and consider a motion for action if**
26 **appropriate:**

27 *At 7:11 P.M. Lienau called the public hearing regarding the provisions of Ordinance No. 239,*
28 *which establishes impact fees for water system improvements, to order.*
29

30 *The Utilities Committee has discussed a number of possible “system pressurizing”*
31 *improvements which could be made to address lack of water pressure within the service area.*
32 *The 2005 enabling Ordinances for impact fees specify “water tower and related system*
33 *improvements”. The regulations contained in the Ordinances probably should have read,*
34 *“water tower **or** related system improvements”, and the Utilities Committee has recommended*
35 *that the proposed amendments, which are delineated on the documents which were included*
36 *in the meeting packets, be made. If the amendments are approved the Utilities Committee, the*
37 *Village Board, staff members and engineers will have some flexibility with regard to future*
38 *system design, without specifically restricting improvements to a water tower.*
39

40 *Lienau noted that if the proposed Ordinance is approved some refunds may have to be issued,*
41 *and Jackson responded that this is an issue which will have to be referred to the Village*
42 *Attorney.*
43

44 *Zacek asked how long a time frame will come into play, and Jackson responded that this also is*
45 *an issue which should be referred to the Village Attorney. The original Ordinances did specify*
46 *that a water tower must be constructed by 2026, but PSC and State regulation changes have*
47 *affected that time limit.*
48

49 *At 7:38 P.M. Lienau asked if anyone wished to comment regarding Ordinance No. 239, and*
50 *when no one responded he declared that the Public Hearing was officially closed.*

1 A motion was made by Clove, seconded by Baker that the Village Board accepts the
2 recommendation of the Utilities Committee and approves Ordinance No. 239 which amends
3 Ordinance No.109 and Ordinance No. 113, and establishes impact fees for a water system and
4 related improvements. Motion carried with Zacek abstaining.
5

6 **Item No. 3. Discussion regarding recommendations from various committees concerning**
7 **amendments to the Personnel Handbook; Consider a motion for action if appropriate:**

8 Within the last 120 days the Village has incurred three Workmen's Comp. claims. At least two
9 of the injuries were preventable. Following the second injury, Jackson and Department Heads
10 sought to enhance safety in the workplace. A safety consultant was brought in to examine the
11 workplace as well as existing safety procedures and practices, and that individual was also
12 asked to update forms and manuals. A number of changes have been recommended, but one
13 issue which should be remedied in 2015 is that employees satisfy ANSI III clothing standards
14 while working within 50' of a road right-of-way. Staff is recommending that all clothing worn
15 by employees who do work within 50' of a road right-of-way be ANSI III compliant. Other
16 safety issues will be addressed in the 2016 budget.
17

18 The question arose as to how citizens will be able to tell that the individuals wearing the ANSI
19 III compliant clothing are Village employees, and the suggestion was made that reasonably
20 priced lanyards, name tags or business cards be purchased and worn.
21

22 A motion was made by Duffy, seconded by Zacek that the Village Board accepts the
23 recommendations of the Parks Committee and the Utilities Committee and approves the
24 amendments to Section 32 of the Village's Personnel Handbook – CLOTHING POLICY, as
25 presented. All Village employees who are required to wear clothing which is ANSI III compliant
26 must wear or carry some type of reasonably priced identification tag or card. Motion carried –
27 All ayes.
28

29 The Personnel Committee has recommended that the Personnel Handbook be revised in such
30 fashion that it states that employees and their dependents who become eligible for Medicare
31 will automatically become ineligible for coverage under the Village's Health Insurance
32 Program. A copy of the applicable Personnel Handbook amendments were included in the
33 meeting packets.
34

35 A motion was made by Duffy, seconded by Enquist that the Village Board accepts the
36 recommendation of the Personnel Committee and approves the amendments to Section 33 of
37 the Village's Personnel Handbook – BENEFITS ELIGIBILITY, as presented. Motion carried – All
38 ayes.
39

40 **Item No. 4. Discussion regarding a request from Charter Communications for a personal**
41 **property tax exemption refund of up to \$3,625.46; Consider a motion for action if**
42 **appropriate:**

43 Charter Communications has requested a refund of its 2014 Personal Property Taxes because of
44 exemptions for digital cable equipment, and the Village Clerk-Treasurer and the Village's
45 Assessor have recommended that the refund be issued.
46

47 A motion was made by Duffy, seconded by Baker that the Village Board accepts the
48 recommendation of Action Appraisers and the Village Clerk-Treasurer and approves Charter
49 Communications' request for a refund of its 2014 personal property taxes. The amount of that
50 refund shall not exceed \$3,625.46. Motion carried – All ayes.

1 **Item No. 5. Discussion regarding a recommendation from the Personnel Committee**
2 **concerning short and long term disability coverage, and review proposals for long term**
3 **disability coverage; Consider a motion to amend the Personnel Handbook if appropriate:**

4 After conducting a comprehensive examination of the Village's insurance coverages, Sarah Beth
5 Janssen of the McClone Agency has recommended that the Village switch from providing short
6 term disability insurance coverage to long term disability insurance coverage for its employees
7 effective January 1, 2016. The Personnel Committee concurs.

8
9 *A motion was made by Duffy, seconded by Zacek, that the Village Board accepts the*
10 *recommendation of the Personnel Committee and directs the Village Administrator to see that*
11 *the Village transitions from providing short-term disability insurance coverage for its employees*
12 *to long-term disability insurance coverage effective January 1, 2016. Motion carried – All ayes.*

13
14 **Item No. 6. Discussion regarding a recommendation from the Parks Committee to transfer a**
15 **sum of money to cover additional sidewalk improvements for the Sister Bay Beach Project**
16 **from the Unassigned Fund Balance to the Waterfront Improvement CIP; Consider a motion**
17 **for action if appropriate:**

18 The Parks Committee has recommended that the parking area by the Post Office be expanded.
19 The Committee has also recommended that the beach sidewalk be extended. Recycled pavers
20 will be utilized for the expanded sidewalk.

21
22 *A motion was made by Lienau, seconded by Duffy that the Village Board accepts the*
23 *recommendation of the Parks Committee and authorizes the construction of additional sidewalk*
24 *and Post Office parking improvements. Those improvements shall be considered components*
25 *of the Sister Bay Beach Project, and the costs of them shall not exceed \$45,000. Before any*
26 *expenditures are actually made for the previously mentioned projects approval must be*
27 *obtained from the Finance Committee. Motion carried – All ayes.*

28
29 *At 8:16 P.M. a brief recess was taken and the Board reconvened at 8:31 P.M.*

30
31 **Item No. 7. Discussion regarding the results of the 2015 Citizen Survey; Consider relevant**
32 **motions for action, if appropriate:**

33 *A motion was made by Lienau, seconded by Duffy that Agenda Item No. 7 – Discussion*
34 *regarding the results of the 2015 Citizen Survey; Consider relevant motions for action, if*
35 *appropriate, shall be tabled until the next meeting of the Village Board. Motion carried – All*
36 *ayes.*

37
38 **Item No. 8. Consider a motion to amend the Sister Bay Board and Committee By-Laws:**

39 Drafts of revised Board and Committee By-Laws were included in the meeting packets and the
40 Board members jointly reviewed those documents. During the review process Clove noted that
41 the Board By-Laws should state that the Board meets on the third Tuesday of each month at
42 6:00 P.M.

43
44 Lienau indicated that he would like to eliminate the Marketing Committee and reinstate the
45 Waterfront Oversight Committee. The Waterfront Oversight Committee would be charged with
46 making recommendations for utilization of the waterfront. He would also like to change the
47 makeup of the Waterfront Oversight Committee so that it consists of two Trustees, one
48 representative of the SBAA, one member of the business community and three citizens.

1 A motion was made by Enquist, seconded by Duffy that the Village Board accepts President
2 Lienau's recommendations for amendment of the Board and Committee By-Laws in such
3 fashion that the Marketing Committee is eliminated and the Waterfront Oversight Committee is
4 reinstated. The makeup of the Waterfront Oversight Committee shall consist of two Trustees,
5 one SBAA representative, one member of the business community and three citizens. Further,
6 the Board By-Laws shall be amended in such fashion that they state that the Board of Trustees
7 meets on the third Tuesday of each month at 6:00 P.M. Motion carried – All ayes.

8
9 **Item No. 9. Consider a motion to discuss and confirm President Lienau's Committee**
10 **Appointments:**

11 Lienau noted that he didn't wish to recommend any new Committee appointments at this time.

12
13 **Committee Reports:**

14 **(1) Administrative Committee:**

15 The Administrative Committee formulated the previously mentioned Board and
16 Committee Member By-Law revisions.

17
18 **(2) Bay Shore Drive Reconstruction Oversight Ad Hoc Committee:**

19 The Bay Shore Drive Reconstruction Oversight Ad Hoc Committee has not met recently.

20
21 **(3) Communication and Technology Committee:**

22 The Communication and Technology Committee has not met recently.

23
24 **(4) Door County Coastal Byways Commission:**

25 The Coastal Byways Commission has not met recently. Baker does intend to show the
26 Coastal Byways Kiosk to the consultants from Living Labs.

27
28 **(5) DCEDC:**

29 The DCEDC met on Monday, but the minutes for that meeting have not been completed
30 yet. The Bass Masters Tournament will be conducted in Sturgeon Bay this weekend.

31
32 **(6) Economic Development Committee:**

33 The Economic Development Committee took part in recent round-table discussions.

34
35 **(7) Finance Committee:**

36 The Finance Committee has been meeting on a regular basis and work is ongoing on
37 preparation of the 2016 Budget.

38
39 **(8) Fire Board and Fire District Exploratory Committee:**

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

41
42 The Fire District Exploratory Committee has not met recently.

43
44 **(9) Historical Society:**

45 The Historical Society Board of Directors met on September 3, 2015, but those minutes
46 have not been completed yet. Things are going well out at The Corner of the Past. The
47 closing date for that facility has now been extended to October 10, 2015.

48
49 **(10) Library Commission:**

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

1 Garden has been well received, and the Marina Fest Book Sale was quite profitable.
2 Work is ongoing on the Library Budget for 2016.

3
4 **(11) Marina Committee and Marina Fest Committee:**

5 The Marina Committee will be meeting on Friday. It appears that it will be a record year
6 for seasonal and transient slip rentals.

7
8 From all outward appearances Marina Fest was a huge success, and the vendors really
9 liked the fact that the festival grounds were extended. Some complaints were received
10 about the token system, and they will be addressed by the Marina Fest Committee. This
11 year more family-oriented events were added, and all of them seemed to be well
12 received. A number of compliments were received about the fireworks displays. The
13 Marina Fest Wrap-Up Meeting will be conducted after Fall Fest.

14
15 **(12) Marketing Committee:**

16 The Marketing Committee has now been eliminated.

17
18 **(13) Parks:**

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

20
21 **(14) Personnel Committee:**

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

23
24 **(15) Plan Commission:**

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

26
27 **(16) SBAA:**

28 No action based on the minutes which were included in the meeting packets. The
29 SBAA's Fall Dinner/Annual Meeting will be conducted at JJ's on October 22, 2015.
30 Approximately \$2,400 was realized as the result of auctioning off the "goats on poles".
31 Zacek stressed that even though roadwork will be conducted in the downtown area, Fall
32 Fest, 2015 will be conducted.

33
34 **(17) Teen Center:**

35 The Teen Center Board has not met recently. Britt Maltby has expressed interest in
36 volunteering to help with Teen Center activities and installation/utilization of the skate
37 park equipment. Enquist will be in contact with her soon.

38
39 **(18) Tourism Zone Commission:**

40 Work is ongoing on the Tourism Zone Commission budget for 2016.

41
42 **(19) Utilities – Water, Sewer, and Storm Sewer Committees:**

43 The Utilities – Water, Sewer, and Storm Sewer Committee has not met recently.

44
45 **(20) Administration/Compensation Oversight:**

46 The Administration/Compensation Oversight Committee has not met recently.

47
48 **(21) Waterfront Oversight**

49 In accord with the Board's directives the Waterfront Oversight Committee has been
50 reinstated and new members will be appointed in the near future.

1 **Item No. 14. Review of the financial statements and consideration of a motion to approve the**
2 **monthly bills:**

3 Payment Approval Reports for the period August 19, 2015 through September 15, 2015 were
4 included in the meeting packets, and the Board members jointly reviewed those documents.

5
6 *A motion was made by Lienau, seconded by Duffy that the monthly bills depicted on the*
7 *reports which were included in the meeting packets totaling \$516,681.77 are all approved.*
8 *Motion carried – All ayes.*

9
10 **Item No. 15. Report by the Village Administrator on Village activities and projects:**

11 Jackson noted that his Administrator's Report was included in the meeting packets and the
12 Board members jointly reviewed that document. Keith Garot is working on obtaining new bids
13 for his development project, but he informed Lienau that construction should start soon. The
14 Village applied for and received a grant for restroom renovations at the Marina, but due to
15 some technical issues the grant funds have not been released yet. Jackson will be meeting with
16 DNR officials to address those issues in the near future.

17
18 Based upon recent DNR compliance issues and change order requests which were made by the
19 Village, representatives of JJR would like to amend the contract for the Beach Project. The
20 estimated related costs are approximately \$10,000.00.

21
22 *A motion was made by Lienau, seconded by Duffy that the Village Administrator is authorized*
23 *to expend up to \$10,000.00 for the services delineated in a contract amendment with JJR, but*
24 *no payments will be made to that agency unless and until an itemized bill(s) is/are received for*
25 *the stated services. Motion carried – All ayes.*

26
27 **Item No. 13. Report on County activities from the County Supervisor, Dave Lienau:**

28 Lienau gave the following oral report regarding Door County activities:

- 29
 - 30 • At the last Door County Joint Finance and Administration Committee Meeting a number
 - 31 • Studies are still being conducted related to the construction of a new EMS Center and a
- 32 new Senior Center.

33
34 *At 9:39 P.M. a brief recess was taken and the Board reconvened at 9:45 P.M.*

35
36 **Item No. 10. Consider a motion to convene into executive session pursuant to Wis. Stats.,**
37 **§19.85(1)(c) to discuss personnel and employee benefits:**

38 *At 9:46 P.M. a motion was made by Lienau, seconded by Baker that the Village Board convene*
39 *into executive session pursuant to Wis. Stats., §19.85(1)(c) to discuss personnel and employee*
40 *benefits. A roll call vote was taken on that motion and the Board members voted in the*
41 *following fashion:*

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

45
46 *Motion carried.*

47
48 **Item No. 11. Consider a motion to reconvene into open session:**

49 *At 10:02 P.M. a motion was made by Lienau, seconded by Zacek that the Village Board*

1 reconvene into open session. Another roll call vote was taken, and the Board members voted in
2 the following fashion:

3
4 Baker – Aye; Clove – Aye; Duffy – Aye;
5 Enquist – Aye; Lienau – Aye; Zacek – Aye.
6

7 Motion carried.
8

9 **Item No. 12. Consider a motion to take action if required:**

10 A motion was made by Baker, seconded by Enquist that the Village Administrator shall act on
11 the matters which were discussed in closed session at this meeting with respect to the Utilities
12 Department. Motion carried – All ayes.
13

14 **Item No. 16. Discussion regarding matters to be placed on a future agenda or referred to a**
15 **committee, official or employee:**

- 16 • The questions which were raised with respect to the provisions of Ordinance No. 239
17 shall be referred to the Village Attorney.
18 • Discussion regarding the results of the 2015 Citizen Survey; Consider relevant motions
19 for action, if appropriate, will be addressed at the October Village Board Meeting.
20 • Lienau will make recommendations for appointments to the Waterfront Oversight
21 Committee ASAP.
22

23 **Adjournment:**

24 A motion was made by Clove, seconded by Duffy to adjourn the meeting of the Board of
25 Trustees at 10:09 P.M. Motion carried – All ayes.
26

27 Respectfully submitted,



28 Janal Suppanz,
29 Assistant Administrator
30