

1 **VILLAGE OF SISTER BAY BOARD OF TRUSTEES MEETING MINUTES**
2 **TUESDAY, OCTOBER 4, 2016**
3 **SISTER BAY-LIBERTY GROVE FIRE STATION – 2258 MILL ROAD**

4
5 The October 4, 2016 meeting of the Village of Sister Bay Board of Trustees was called to order
6 by Village President Dave Lienau at 6:01 P.M.

7
8 **Present:** President Lienau and Trustees Scott Baker, Nate Bell, Denise Bhirdo, John Clove,
9 Pat Duffy, and Kathy Enquist.

10
11 **Staff Members:** Village Administrator Zeke Jackson, Finance Director Tasha Rass, Marina
12 Manager Nicole Krauel, and Utilities Clerk Stacy Bell.

13
14 **Others:** Laddie Chapman, Cory Diltz, Ron Kane, Judith Ross-Stevenson, and Jeff Johnson
15 from Going Garbage.

16
17 **Approval of the Agenda as published:**

18 *A motion was made by Bhirdo, seconded by Enquist that the Agenda for the October 4, 2016 meeting*
19 *of the Village of Sister Bay Board of Trustees be approved as presented. Motion carried – All ayes.*

20
21 **Approval of the minutes for the September 20, 2016 meeting of the Village Board:**

22 Baker stated that he was the Trustee who seconded the motion to approve the minutes on
23 line 28 of the first page.

24
25 *A motion was made by Bhirdo, seconded by Duffy that the minutes for the September 20, 2016 Village*
26 *Board Meeting be approved as amended. Motion carried – All ayes.*

27
28 **Approval of the minutes for the September 27, 2016 meeting of the Village Board:**

29 *A motion was made by Clove, seconded by Baker that the minutes for the September 27, 2016 Village*
30 *Board Meeting be approved as presented. Motion carried – All ayes.*

31
32 **Comments and correspondence:**

33 Lienau asked if anyone wished to comment regarding a non-agenda item. No one
34 responded. He then noted that a letter which had been received from Eric Lundquist was
35 included in the meeting packets, and Jackson read that document aloud. In his letter
36 Lundquist requests that the Village Board oversee the Marina commercial vendor RFP
37 review and approval process and keep all interested parties informed of the status of this
38 issue.

39
40 Bhirdo noted that Charlie Henriksen asked her if the WPS light poles which are along South
41 Bay Shore Drive could be equipped with banner arms.

42
43 **Item No. 1. Public Hearing on the 1st draft of the recommended 2017 Village Budget;**
44 **Consider a motion to discuss and to refer to a Special Village Board meeting on November**
45 **3, 2016 at 6:00pm for subsequent discussion and adoption.**

46 *At 6:06 P.M. Lienau called the Public Hearing on the 1st draft of the recommended 2017 Village*
47 *Budget for the Village of Sister Bay to order.*

48 The copy of the Village's budget for 2017 which was included in the meeting packets has

1 been reviewed by a number of oversight committees, and they have all recommended that it
2 be approved as presented. Likewise, the Finance Committee has recommended that the 2017
3 Budget be approved as presented. The budget includes property tax revenues of
4 \$2,267,001.00, which is an increase of 1.94% over 2015. The assessed value of properties in the
5 Village is expected to be \$413,082,407.00, which decreased by just over \$11,000,000.00 from
6 2015. In 2017 the mill rate will be \$5.48 per \$1,000.00 of valuation, which is an increase of
7 4.72% over last year's mill rate.

8
9 The 2017 general fund balance is estimated to be \$559,941.00, and the fund balance
10 percentage will be 26.26%, which is 1.26% above the Village's 25% policy limit.

11
12 General Revenues, General Government, and Parks:

13 The Marina Committee recommended that the Marina Fund transfer \$10,000.00 to the
14 General Fund to cover a portion of the expenses for Marina Fest. A Trolley Service to
15 alleviate traffic flow problems throughout the Village is also in the preliminary planning
16 stages. The funds in the Recreation Equipment and Supplies account within the Parks
17 Budget will be used to replace playground equipment, and the Storm Drainage System is in
18 need of significant improvements, which will cause this line item to increase in subsequent
19 years.

20
21 Special Revenue Funds

22 The Marketing and Skate Park Funds will be closed in 2016 due to inactivity. The TKH Ice
23 Rink Fund will be the only remaining special revenue fund.

24
25 Debt Service Fund

26 In 2016 the Village entered into a Development Agreement with the management of Stony
27 Ridge Development. Half of the interest proceeds of this loan are reflected in the Debt
28 Service Fund as we do not expect to have the entire amount of the loan taken out until after
29 the first of the year. Jackson clarified that there is approximately a 2% spread between the
30 amount we're receiving from the bank and from Garot. The interest income and loan
31 proceeds are transferred out to the TID for expenditures related to the Stony Ridge
32 development. A payment has not been recorded for 2016 yet as this occurs annually.

33
34 Proceeds from the sale of the Braun Property will be applied toward additional payments on
35 the Village's debt. This is expected to decrease the life of the debt by five (5) years. Clove
36 asked what year the debt is now expected to be paid off in, and Rass replied that it should be
37 paid off by 2020 instead of 2025. Jackson noted that subsequent discussions need to occur
38 with the Village Board about the infrastructure installation contract before this date can be
39 finalized.

40
41 Capital Improvement Fund

42 The Capital Improvement Fund is funded by General Fund transfers and these items have
43 been identified in the Board Report.

44
45 Tax Increment District #1

46 The value of Tax Increment District #1 is expected to increase by 4% over 2015 values.
47 Estimated values were based on an increased TID value of \$2,076,200.00, but actual numbers

1 will not be available until November. The Braun Property lot sale proceeds will be moved
2 from this fund to the Debt Services Fund to decrease debt, and outlays for that property have
3 been included in the 2017 budget. The interest income for the Stony Ridge Development is
4 reflected as a result of the agreement and the related outlays. Lienau commented that most
5 of this information has been reviewed by the board members several times prior to this
6 meeting.

7
8 Marina Enterprise Fund

9 Public and commercial revenues at the Marina will increase in 2017 due to fee increases
10 which were approved by the Marina Committee.

11
12 Rass compared the Utility PILOT to the Marina PILOT, and noted that the previous year's
13 Water Fund asset value, as defined by the Public Service Commission, (PSC), is used when
14 the Utility PILOT is calculated. The Marina PILOT has most recently been calculated using
15 insurance replacement values. The Marina Committee has recommended that the formula
16 for this calculation be modified to mirror the Utility PILOT.

17
18 Enquist asked for clarification as to why the Marina Committee is recommending that the
19 basis for calculation of the Marina's PILOT be changed, and Jackson responded that the
20 insurance replacement value of the Marina was estimated at \$15,000,000.00, which is not
21 realistic when compared to the audit value of the property of \$5,500,000.

22
23 Bhirdo requested clarification as to the transfer of \$10,000.00 from the Marina Fund to the
24 General Fund to support Marina Fest. She stated that she is uncomfortable with the Village
25 hosting Marina Fest, especially in light of the fact that up until this year Marina Fest lost a
26 considerable amount of money. Clove responded that the transfer was intended to decrease
27 the Marina's losses due to running Marina Fest.

28
29 Lienau suggested that the Village Board address this line item at length after the Public
30 Hearing has been conducted but prior to the time that the 2017 budget is finally approved.

31
32 Utility Fund

33 Revenues and expenses for the Utility Fund were similar to 2016 with capital expenditures
34 being identified in the Board Report. Clove asked for clarification as to why the cost of the
35 lift station generator is shown as being between \$100,000.00 and \$400,000.00.

36
37 Rass and Jackson responded that the Utilities Director is currently working with engineers
38 on this issue since there is a vast difference in estimates for the generator. The cost of this
39 item is listed as "up to \$400,000.00" in the CIP documents.

40
41 *At 6:35 P.M. Lienau asked if any members of the audience had any questions or wished to comment*
42 *regarding the draft budget for 2017, and when no one responded he declared that the Public Hearing*
43 *was officially closed.*

44
45 The proposed budget for 2017 will not be formally approved until the next meeting of the
46 Village Board, which has been scheduled for 6:00 P.M. on November 3, 2016. It was the
47 consensus that the following issues shall be addressed at that meeting:

- 1 • Discussion regarding the transfer of \$10,000.00 from the Marina Fund to the General
2 Fund to support Marina Fest.
3
- 4 • Discussion regarding the creation of a policy which states that Board members must
5 be notified prior to the time that large expenditures for capital items are made, even if
6 they were approved during the budget process. Jackson noted that most communities
7 set a price limit of \$50,000.00.
8

9 **Item No. 2. Discussion on an amendment/extension of the Sanitation Services contract**
10 **with Going Garbage; Consider an appropriate motion for action:**

11 The original sanitation services contract, which was entered into with Going Garbage in
12 2012, as well as a draft of a contract amendment document which extends that contract to
13 December 31, 2019 were included in the meeting packets, and the Board members jointly
14 reviewed that documentation. Jackson recommended that the Village Board authorize the
15 Village President to execute the amendment/extension documents on behalf of the Village,
16 and it was the consensus that this will be acceptable.
17

18 *A motion was made by Bhirdo, seconded by Baker that the Village Board approves the documents*
19 *which extend and amend the Sanitation Services Contract with Going Garbage which were reviewed*
20 *at this meeting as presented. Motion carried – All ayes.*
21

22 **Item No. 5. Report on County activities from the County Supervisor, Dave Lienau:**

23 Lienau gave the following oral report:

- 24 • The County Board has not met recently.
- 25 • The County Board and several elected officials attended the annual Counties
26 Conference in Milwaukee last weekend. This was an opportunity for elected officials
27 to understand the State’s legislative goals for the near future. At that conference the
28 following issues were addressed at length:
 - 29 ○ Mental health and illness awareness is causing increased spending for the
30 prison systems, as 20-40% of inmates suffer from some form of mental illness.
 - 31 ○ An attempt will be made to bring juvenile offenders back into the juvenile
32 court system for trial as prosecuting them in adult court has not proven to be
33 effective.
 - 34 ○ Transportation funding should increase for local governments due to a
35 cancellation of large projects in the Southeast region of Wisconsin. There has
36 been a decrease in bonding for road projects from \$900,000,000.00 to
37 \$500,000,000.00. This is an attempt to find long-term funding and use collected
38 road tax dollars for road repairs. Some governmental entities annually bond
39 for road repairs.
40

41 **Item No. 5. Review of the financial statements and consideration of a motion to approve**
42 **the monthly bills:**

43 Financial reports for the period September 16, 2016 to September 29, 2016 were included in
44 the meeting packets and the Committee members jointly reviewed those documents.
45

46 *A motion was made by Lienau, seconded by Baker that the monthly bills depicted on the reports which*
47 *were included in the meeting packets totaling \$346,488.21 are all approved. Motion carried – All*
48 *ayes.*

1 **Item No. 6. Reports by the Village Administrator on Village activities and projects:**

2 Jackson gave the following oral report:

- 3 • Bids for the Braun Property came in roughly “double” the engineer’s estimates, and
4 all were rejected. The low bid was approximately \$720,000, and \$200,000 of that
5 amount was for the creation of retaining walls on the South and East boundaries of
6 the property.
 - 7 ○ Lienau noted that it is quite likely that the parking lot on the Braun property
8 will have to be redesigned. The Board will need to address this issue as well
9 as the Village-wide parking problems which have arisen at some point in the
10 future.
 - 11 ○ Bhirdo noted that she had a discussion with Fire Chief Hecht about the
12 possibility of utilizing already existing parking lots within the Village limits,
13 such as St. Rosalia’s.
 - 14 ○ Jackson commented that “time of use” restrictions could be considered to
15 decrease complaints. This discussion would start at Parks and then move to
16 Plan Commission, and finally recommendations will have to be forwarded on
17 to the Board.

18
19 **Committee Reports:**

20 **(1) Administrative Committee:**

21 The Administrative Committee has not met recently.

22
23 **(2) Communication and Technology Committee:**

24 The Communication and Technology Committee has not met recently.

25
26 **(3) Door County Coastal Byways Commission:**

27 The Coastal Byways Commission met on September 22, 2016. The coloring books are
28 being positively received by advertisers and visitors. The next long-term goal is to
29 create additional signage and to create a mobile app. Non-conforming signage along
30 the byways will be removed by the DOT. Residents will have to contact the DOT to
31 get their signs, including banners back. The next meeting will be Friday, November 4.

32
33 *Jackson requested that President Lienau consider appointing someone else to the Coastal*
34 *Byways Commission.*

35
36 **(4) DCEDC:**

37 The Door County Economic Development Committee will be meeting on October 10,
38 2016.

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

41 The Economic Development Committee has not met recently.

42
43 **(6) Finance Committee:**

44 The Finance Committee has met on a number of occasions recently, and has
45 recommended that the version of the 2017 budget which was included in the meeting
46 packets be approved.

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

1 The Fire Board will be meeting on Thursday, October 6, 2016.

2 The Fire District Exploratory Committee has not met recently.

3
4 **(8) Historical Society:**

5 The Historical Society will be meeting on Thursday, October 6, 2016.

6
7 **(9) Library Commission:**

8 The Library Commission has met and the minutes of the previous meeting were
9 included in the meeting packet.

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

12 The Marina Committee met on September 21, 2016. Approved minutes were included
13 in the meeting packets. Rate increases were approved and an RFP was developed for
14 commercial vendors.

15
16 *Bhirdo inquired whether anyone has followed up with Mark Bell. Jackson and Lienau replied*
17 *that discussions with Mr. Bell are on-going.*

18
19 The Marina Fest Committee has not met recently.

20
21 **(11) Parks:**

22 The Parks Committee has not met recently.

23
24 **(12) Personnel Committee:**

25 The Personnel Committee has not met recently.

26
27 **(13) Plan Commission:**

28 The minutes from the Special Plan Commission meeting on September 1, 2016 were
29 included in the packets.

30
31 **(14) SBAA:**

32 The Sister Bay Advancement Association will meet Thursday, October 6, 2016

33
34 **(16) Youth Center:**

35 The Youth Center has not met recently; minutes are not yet available from the previous
36 meeting.

37
38 **(17) Tourism Zone Commission:**

39 The Tourism Zone Commission has not met recently.

40
41 **(18) Utilities - Water, Sewer, and Storm Sewer Committees:**

42 The Utilities Committee will be meeting on Thursday, October 6, 2016.

43
44 **(19) Administration/Compensation Oversight:**

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

46
47
48

1
2 **Item No. 4. Discussion on a recommendation of the Plan Commission following a Public**
3 **Hearing on a proposed redraft of Sec. 66.0700 - The Village Sign Code; consider an**
4 **appropriate motion for action:**

5 Lienau noted that the document which was included in the meeting packets is a “a work in
6 progress”. It was edited to reflect new requirements, but more revisions will be made at the
7 Plan Commission level. The Board members jointly reviewed the document which had been
8 included in the meeting packets, and during the review process the following revisions were
9 suggested:

- 10 • Page 89, line 7: Bhirdo commented that the term “Village aesthetics” must be used or
11 removed so the document is consistent. Jackson responded that “aesthetics” refers to
12 the artistic content of the sign; the term will be deleted throughout as we can no
13 longer regulate sign aesthetics.
- 14 • Page 91, line 95: Bhirdo asked why the statement, “that exceeds two acres in size”
15 was deleted. Jackson replied this was an original edit based upon the definition of a
16 shopping center. This only applies to the B-1 District; not B-2, or B-3.
- 17 • Page 91, line 69: Bhirdo asked why the “traffic control device paragraph” was
18 included in the new regulations. Jackson responded that this section pertains to
19 detour signs, traffic arrows, speed limit signs, etc. which are utilized during events
20 such as Fall Fest. The State Patrol determined that the Village was in violation of the
21 applicable regulations in the past, so Barricade Flashers has been hired to supply
22 signage for Fall Fest 2016 to ensure that appropriate signage is erected; thereby
23 reducing the Village’s liability.
- 24 • Bhirdo asked why the sentence which begins on Page 92, line 90 was deleted. Jackson
25 responded that this sentence pertained to the slat signage which had been erected by
26 the Village. The Village can no longer regulate sign content, so it made the most
27 sense for the Plan Commission to review each sign on an individual basis.
- 28 • Bhirdo asked why the content of page 92, line 87 and page 93, line 65 had been
29 deleted. Jackson replied that this section should be deleted in its entirety to allow
30 time to define the wayfinding signage standards. Jackson clarified that off-premise
31 signs are not allowed at this time.
- 32 • Enquist requested clarification of the definition of “off-premise” signs. Jackson
33 responded that it is any sign that is not directly on the property which is occupied by
34 the business, typically billboards or church directional signs.
- 35 • Page 93, line 105 “cannot” – page 93, line 107 “and”: Bhirdo asked if 10 feet was
36 appropriate. Jackson responded this is intended to maintain sight triangles.
- 37 • Page 94, (e): Bhirdo commented that the Village does have a Sandwich Board Design
38 Guide which was intended to eliminate certain styles of sandwich boards. Jackson
39 responded this whole section should be deleted or written to regulate materials
40 instead of artistic content.
- 41 • Page 94, section 66.0720 (line 29): This section needs to be referred to the Plan
42 Commission.
- 43 • Page 94, line 44: Bhirdo questioned the dimensions. Jackson responded that these are
44 no longer real estate signs, and the dimensions are consistent
- 45 • Page 95, line 66 “temporary signs”: It was the consensus that the heading should be
46 removed as no content is available.
- 47 • Page 95, Section 66.0721 (line 82): The Board determined that 30 days would be

1 adequate for event signage.

- 2 • Page 96, line 2: Bhirdo commented “inflatable signs” needs to be deleted because they
3 are prohibited.
- 4 • Page 96, line 20: Bhirdo inquired about the sizes mentioned. Jackson responded these
5 sizes are standard sign dimensions.
- 6 • Page 96, sub (a): It was the consensus that the heading “Temporary Signage-Long
7 Duration Events” should remain for now, but conversation should be had about the
8 content for this section at a later date.
- 9 • Page 96, line 73: Bhirdo commented about “changeable copy signs”, asking if this
10 should be a conversation for the Plan Commission. The Board determined that the
11 term, “changeable copy signs” defines a type of sign and will remain as written for
12 this edit.
- 13 • Page 96, line 77: It was the consensus that the word “price” should be deleted.
- 14 • Page 96, line 78: It was the consensus that the word “additional” should replace
15 “addition”.
- 16 • Page 97, line 40: Bhirdo requested clarification as to the size stated. Jackson replied
17 that this is the standard size for ground signs in the B-1, B-2, and B-3 Districts
18 throughout the Code. Enquist requested clarification as to the definition of
19 “countryside”. Jackson responded that it is a designation for land which is primarily
20 along Highway 57.
- 21 • Page 97, line 16: Bhirdo asked if these types of signs are still allowed. Jackson
22 responded that they are included in the total signage calculations.
- 23 • Page 100, line 72: It was the consensus that the term “unless located on P-1 zoned
24 properties.” should be deleted. Clove noted that the Board needs to be aware that
25 this does not refer to “open” signs.
- 26 • Page 100, line 107: Bhirdo commented that public art was previously not allowed.
27 Jackson commented that there are currently several court cases which address
28 display of murals. Such items can be considered a “conditional use”. Lienau noted
29 that the Plan Commission decided that an approval process should be delineated for
30 any and all unclassified signs.
31 *Bhirdo requested that the Plan Commission be asked to determine size limitations for*
32 *“unclassified signs”.*
- 33 • Page 101, line 71 sub (4): Bhirdo confirmed that this section was removed due to the
34 historical date, and reaffirmed that pole signs are still not allowed.

35
36 *A motion was made by Clove, seconded by Bhirdo that the Village Board approves of the proposed*
37 *redraft of Sec. 66.0700 of the Municipal Code, (the Village’s Sign Code), as amended at this meeting,*
38 *but is recommending that the Plan Commission review all the previously mentioned amendments and*
39 *continue to work on ensuring that all provisions of the Village’s Sign Code are compliant with “Reed*
40 *v. Gilbert”. If the Plan Commission makes any further revisions to the Sign Code applicable*
41 *documentation shall again be referred to the Village Board. Motion carried – All ayes.*
42

43 **Item No. 9. : Consider a motion to convene into executive session pursuant to Wis. Stats.,**
44 **§19.85(1)(e) to deliberate or negotiate the purchase of public properties, the investment of**
45 **public funds, or conduct other specified public business, whenever competitive or**
46 **bargaining reasons require a closed session, and §19.85(1)(g) to confer with legal counsel**
47 **for the governmental body who is rendering oral or written advice concerning strategy to**

1 **be adopted by the body with respect to litigation in which it is or is likely to become**
2 **involved:**

3 *At 8:27 P.M. a motion was made by Lienau, seconded by Baker that the Village Board convene into*
4 *executive session pursuant to Wis. Stats., §19.85(1)(e) to deliberate or negotiate the purchase of public*
5 *properties, the investment of public funds, or conduct other specified public business, whenever*
6 *competitive or bargaining reasons require a closed session, and §19.85(1)(g) to confer with legal*
7 *counsel for the governmental body who is rendering oral or written advice concerning strategy to be*
8 *adopted by the body with respect to litigation in which it is or is likely to become involved.*

9
10 *A roll call vote was taken on that motion and the Board members voted in the following fashion:*

11
12 *Lienau – Aye; Baker – Aye; Bell – Aye; Bhirdo – Aye; Clove – Aye; Duffy – Aye; Enquist – Aye*

13
14 *Motion carried.*

15
16 **Item No. 10. Consider a motion to reconvene into open session:**

17 *At 9:17 P.M. a motion was made by Lienau, seconded by Bhirdo that the Village Board reconvene into*
18 *open session:*

19
20 *A roll call vote was taken on that motion, and the Board members again voted in the following fashion:*

21
22 *Lienau – Aye; Baker – Aye; Bell – Aye; Bhirdo – Aye; Clove – Aye; Duffy – Aye; Enquist – Aye*

23
24 *Motion carried.*

25
26 **Item No. 11. Consider a motion to take action, if required:**

27 *A motion was made by Bhirdo, seconded by Baker that engineers from Robert E Lee & Associates shall*
28 *be hired to reconfigure the Braun property lots as discussed in closed session on a “time and*
29 *materials” basis. Motion carried - All ayes.*

30
31 **12. Discussion regarding matters to be placed on a future agenda or referred to a**
32 **committee, official or employee:**

33 *It was the consensus that the following issues shall be addressed at a future Board Meeting:*

- 34 • *Discussion regarding the transfer of \$10,000.00 from the Marina Fund to the General*
35 *Fund to support Marina Fest.*
- 36 • *Discussion regarding creation of a policy which states that Board members must be*
37 *notified prior to the time that large expenditures for capital items are made, even if*
38 *they were approved during the budget process.*

39
40 **Adjournment:**

41 *A motion was made by Clove, seconded by Enquist to adjourn the meeting of the Board of Trustees at*
42 *9:27 P.M. Motion carried – All ayes.*

43
44 *Respectfully submitted,*

45 *Anastasia Bell*

46
47 *Anastasia Bell,*

1 Utilities Clerk