

CITY OF BAYFIELD HARBOR COMMISSION NOTICE OF PUBLIC MEETING
Minutes of February 6, 2023, 4 p.m.

Call to Order – Roll Call: Chairman Dougherty called the meeting to order at 4:00 p.m. followed by roll call.

Present: Bauer, Dougherty, Jensen, and Zawislak

Absent: Shrider

Staff: Clerk Hoopman and PWD Kovachevich

Others: Operators Bill and Doreen Peterson, Charlie Jarvis, Lyn Hoopman-Cornelius, Bill Bland, Craig Skaaden, John Langhans-MSA, Richard and Ken Disher-Xcel Energy, Colleen Beagan, Matt Carrier, Kate Kitchell and Charmaine Swan,

Review/Approve Agenda: Jensen/Bauer moved to approve the agenda as presented. Carried.

Review/Accept meeting minutes of January 9, 2023: Bauer/Jensen made a motion to approve the minutes of January 9, 2023, with the attachments as presented. Carried.

Public Input on Agenda Items: None.

Marina

1. AI Marina Breakwall/Seawall Project

- Wren Works – Specialize Pad
- Pay Requests/Budget Updates/Project Closeout

Discussion ensued regarding the specialize concrete pad as the City is being asked to cover the cost since there was a 100% cancellation fee of \$50-60,000 charged to the Contractor. MSA and Wren Works maintain Xcel Energy requested the removal of the specialized pad and Xcel Energy has emphatically disagreed. They at no time said no to the pad’s installation. The HC discussed the additional money in oversight paid to MSA and questioned both them and Xcel what paperwork they might have that would solidify why the pad wasn’t installed. Who said what and when? The terms of the Contech agreement were also in question and didn’t seem very reasonable since the pad was not actually constructed. Furthermore, the City also recently learned Xcel is planning to abandon the lines on the south shoreline. Critical information that would have been beneficial to know. We are left with a large bill and a hole in our wall since we spent a great deal of time working around their utility.

MSA agreed to reach out to Contech to ask some additional questions. Hoopman noted the contract also has additional language that states they can keep all materials purchased if invoice is not paid within 60 days. No action was taken on either item.

2. 2023 Race Week

Jensen/Bauer made a motion to approve the 2023 Race Week Agreement as presented. It is the same as in previous years. Carried, all ayes.

3. Northwest Petroleum Service - Quote for service

Bauer/Jensen made a motion to approve the quote for service. The fix will correct a leak problem detected while doing some testing required due to new regulations. Carried, all ayes

4. Marina Lessee December Fees Report

Received. Peterson told the Commission there will be some adjustments made due to his uncollectibles. Some discussion ensued regarding the abandoned fish tug. It was agreed this is not a Commission issue, but the Chairman will write a letter of support to Peterson encouraging him to pursue all means for removal.

5. Marina Lessee - Issues/Concerns/Updates

Operator Doreen Johnson began by providing public input. The Chairman noted public input was over, but if she had something in writing we could accept it, or to hold and put it on the next agenda. The purpose of this line item is to discuss current operations. Johnson was allowed two minutes to continue and to provide her written comments to the Commission. She thanked the HC for providing them with the Marina Study and mentioned the good information contained therein. She commented on the reduction in labor costs and staffing, and she wished the HC was going to provide a strong reliable benefit to the City, which appears questionable.

6. Public Works Director Report: Issues/Concerns/Updates

The PWD noted everything seems to be running smoothly.

7. Marina Management – Discuss and prepare Implementation Plan/Documents Timeline/Job Descriptions/SOPs, Budget

The commission discussed the following proposed timeline:

- Officially request the list of items BD Marine will be selling with asking prices. This was done at the meeting, and Peterson requested the list of items that were redacted in the Marina Study be provided to him for consideration. No action was taken on this request, rather the Chairman asked for his list again and noted we feel this helps us to protect his interests considering the non-disclosure agreement in place.
- March/April – Budget. Review draft 2023 budget (Hoopman/Zawislak)
- March – Review draft Harbor Master Job Description (Shrider)
- March – Review draft Standard Operating procedures; including regulatory requirements. Jensen/Zawislak moved to request Jon Kukuk's assistance to draft the SOPs and regulatory regulations list, at a cost not to exceed \$1500.
- June – Advertise for Harbor Master Position
- September – Harbor Master begins
- January 1, 2024 – Harbor Commission assumes full responsibility of Marina (Lease ends December 31, 2023)
- April 15 – Go live.

Other: Chairman Dougherty had a conversation with the USCG Chief about continuing to lease a long-term slip for their vessel as they have done in the past.

Closed Sessions: The Commission expects some closed sessions might be needed to discuss employee compensation, and for competitive or bargaining reasons.

City Dock

1. Northland Consulting – Finger Pier Project

Nothing new to report. This will remain a standing agenda item.

2. Public Works Director Report: Issues/Concerns/Updates

The PWD has nothing to report.

L.E. Building-Slip/Fishing Pier/Boat Ramp

1. Building Condition Assessment – John Gerzina, DSGW Architect/Next Steps

The HC agreed to put this project on hold.

2. LE Covered Boat Slip – Open for Lease

Bauer/Jensen moved to advertise this covered boat slip at a seasonal rate of \$4500. Carried, all ayes.

3. Public Works Director Report: Issues/Concerns/Updates

The PWD noted the boat ramp has heaved and twisted. It's designed to shift and bolts to snap. Some repairs are expected this Spring.

Other/ Business/Concerns

1. Consider "Outdoor Recreational Areas Commercial Tobacco-free Ordinance"

Commissioners discussed the following:

Locations:

- Don't include the LE Dock or Building (it's not on list now)
- Boat Launch: No smoking in launch area or around bathrooms/green space; parking lot exempt.
- City Dock: Dock portion only, and timing needs to correspond to existing leases. May need to wait until following year to include this location.
- Marina: Due to the lease, this area cannot be included until the following year. Question about adding a designated location for employee or marina lease smoking area. Peterson said smoking hasn't been an issue for them.

Enforcement:

- Operator Peterson noted he would not like his employees to be responsible for enforcement.
- The PWD asked for the clause that notes City Employees could face disciplinary be removed. Hoopman noted this was stricken in the most current draft. It was questioned why that was in there in the first place.
- Overall feels like a very soft launch to no smoking policy and there is essentially no enforcement.

2. Schedule Next Meeting(s): March 6 and April 3, 2023, 4 p.m.

Bauer will be unable to attend on March 6, and Zawislak will attend virtually to both.

Adjourn: Jensen/Bauer moved to adjourn. Carried. (5:54 p.m.)

Minutes by Billie L. Hoopman, Clerk