Approved Dock Task Force 6/26/17 Meeting Minutes

Attendees:

Task Force Members: Nino Nardecchia, Mike Evangelist, Mark Gerseth

Non-Task Force Member Attendees: Barb Carson, Julie McKenzie

1. Meeting started 7:05PM
2. Prior Meeting Minutes Approved with one typo corrected to reflect the correct location of second meeting 706 Hall Ave.
3. Reviewed current status of boat slip usage at each dock.

* **Birch. (Max boats allowed: 10, Number of Slips requested and approved: 7, Number being utilized: 6)**. Water level concerns when dock was put in this spring precluded Dock Association for assigning the 7th slip.

**Status**. City Administrator has been notifying individuals on the Boat Slip waiting List IAW Chapter 617 and is offering the slip to individuals on the Boat Slip Waiting List IAW Chapter 617.

* **Three More Boats Slips Available**. Dock Association identified three (3) additional boat slips that are available.

**Status**. Dock Association is notifying the City Administrator that there are an addition three (3) boat slips available: one (1) for a boat no more than 22 feet in length, and two (2) for boats no more than 19 feet or less.

**Recommendation**. Recommend City Administrator post notice of available boat slips including the Chapter 617 length restriction for each slip on the Boat Slip Waiting List web site page and in City News Letter if there are boat slips available at the time of publication.

* **Ash (Max boats allowed: 8, Number of Slips requested and approved: 6, Number being utilized: 5)**.

**Recommendation Requiring Council Action:**  Recommend Council authorizes a Chapter maximum boat length variance up to 20.5 feet for the slip at the end Ash dock.

1. Issues identified as result of review of compliance and enforcement of ordinance with regards to Boat Slip Permit and Lift Storage fee payments, Boat Slip Waiting List, Proof of Insurance, and Boat Slip Assignments.
2. **Boat Slip Permit and Lift Storage Fee Payments.** Required fees have not yet been collected as required by the ordinance. The City Administrator is working with the Dock Association to add any fees that are in arrears to the affected individuals’ water bill.

**Recommendation Requiring Council Action.** Council should amend Chapter 617 and Chapter 701 as required to reflect the following process for paying these fees in the future:

* 1. Both Boat Slip Permit Fees and Lift Storage Fees would be billed and collected by adding them to the applicable individual’s water bill as is being done now to collect fees in arrears. This will reduce administrative costs, provide a better audit trail, and ensures the fees will be paid.

Applicable Individuals would be identified as follows:

* + 1. **Boat Slip Permit Fees**. After Dock Permits are issued by the City, the Dock Association would provide the City Administrator in writing the names of all Boat Slip Permit holders who are assigned boat slips for the upcoming boating season. Once notified, the City Administrator would add the current Dock Slip Permit fee to those individuals’ water bills. Individuals issued a Dock Slip Permit for the first time would not be billed because their Boat Slip Waiting List Fee would be applied as specified in Chapter 67 to cover the their first Boat Slip Permit fee.
    2. **Lift Storage Fees**. After docks have been removed at the end of the boating season, the Dock Association would provide the City Administrator in writing the names of all Boat slip Permit Holders who are storing their boat lifts for the winter on a City property. The list would include the individual’s name and the Public Lake Tract they are storing their lift on. Once notified, the City Administrator would add the current Dock Slip Permit fee to those individuals’ water bills.

1. **Boat Slip Waiting List**. The Dock Association, not the City as required by the ordinance, has been maintaining and administering the list. Now the current Boat Slip waiting List has been given to the City Administrator and he is administering the list in accordance with the ordinance.
2. **Boat Slip Permit Holders Proof of Insurance.** The Boat Slip Permit Holder Proof of Insurance provisions of Chapter 617 have not been followed.

**Status**. To get into compliance with Chapter 617, the Dock Association is notifying all current Boat Slip Permit holders who have a boat installed on a Dock Association Dock to, as required by Chapter 617, present proof of required insurance to the City Administrator. The notification will include the warning that failure to comply could result in revocation of their Boat Slip Permit which would result in them having to remove their boat and lift from the Public Lake Tract. Going forward, the Dock Association will not allow a boat or lift to be installed on one if its docks until the Dock Permit Holder presents City Administrator provided proof that he/she has complied with this requirement.

1. **Boat Slip Assignments**. A “Use it or Lose It” provision needs to be added to Chapter 617 to address actions to be taken if a Boat Slip Permit holder for any reason, other than low water, decides not to install a boat/pontoon and lift on his/her assigned boat slip.

**Discussion**.

* + 1. The City owns all the Boat Slips on its Public Lake Tracts.
    2. The intent of both the Boat Slip Waiting List and the Boat Slip Permit processes is to provide eligible individuals the opportunity to utilize one of the City’s boat slips. It was and is reasonable assumed that an individual accepting the offer of a Boat Slip Permit would have their boat and lift ready to be installed on their assigned dock at the start of the boating season or shortly thereafter.
    3. For the most part this is the norm but it has come to the Dock Task Force’s attention that there is potential for a Boat Slip Permit holder for any reason, other than low water, to decide not to install a boat/pontoon and lift on his/her assigned boat slip. Instead the individual could simply wait any number of their 6 years before installing a boat.
    4. This action would violate the intent of the ordinance and would not be fair to other individuals on the Boat Slip Waiting List who are ready and able to utilize a boat slip if offered a Boat Slip Permit.
    5. As a result, a provision needs to be added to Chapter 617 that prevents an individual from securing a Boat Slip Permit but not using their assigned boat slip for any reason other than low water.

**Recommendation Requiring Council Action.** Amend Chapter 617 as follows:

Add the following paragraph to Section 617.350

“(11.) Any individual who secures a Boat Slip Permit is obligated to have his/her boat and lift installed on the boat slip assigned by the Dock Association no later than June 15th of the boating season covered by the Boat Slip Permit. If any Boat Slip Permit Holder fails to comply with this requirement, their Boat Slip Permit shall be deemed revoked and their assigned boat slip will be released to the City to be offered to individuals on the Boat Slip waiting List.”

1. **Recommendation addressing whether or not the management of the docks should be shifted to the City** (To be reviewed at next meeting).
   1. The DTF will evaluate the cost and benefits of:
   2. Keeping the Chapter 617 shared dock administration model (privately owned docks are allowed to operate from the City’s Public Lake Tracts). The evaluation will assume assuming the above recommendations are implemented by the City Council and that all parties will comply with new Chapter 617 requirements going forward.
   3. City purchasing and administering its own docks. The DTF will update then evaluate one of the options laid out in the 2009 “Plan for the City To Buy and Operate Its Own Docks” developed by the 2009 Docks Work Group and presented to the City Council at the December 2009 meeting.
   4. A hybrid model that has the City owning, insuring, and managing all aspects of the docks except 1) dock installation and removal, and 2) assignment of specific boat slips. These duties would be delegated to the Dock Association.
   5. The DTF will use the three analyses to develop its recommendation to the Council addressing whether or not the City should take over administration of the docks installed on its Public Lake Tracts.
   6. The DTF will provide its recommendation to the Council in a report that will include supporting narrative, and the results of the three (3) analyses described above.
   7. **IMPORTANT**. If the DTF gets information requested below in a timely manner, it should be able to complete this part of its tasking in time to present its recommendation to the Council at the August Council Meeting:
      1. From City Administrator:
         1. Time it takes City Administrator to fulfil current Chapter 617 responsibilities; and estimate of additional time required to comply with recommended changes to Chapter 617.
         2. Provisions and cost of City insurance policy covering people using City docks and covering individuals authorized by the City to install docks and lifts on City’s Public Lake Tracts.
      2. From Dock Association:
         1. Time it takes to comply with current Chapter 617 responsibilities; and estimate of additional time required to comply with recommended changes to Chapter 617.
         2. Provisions and cost of Dock Association insurance policy covering Dock Association members installing docks and lifts on the City’s Public lake tracts.
         3. Estimate of how much more would it cost for the Dock Association’s insurance policy to provide coverage for non- Dock Association members to use Dock Association docks on the City’s Public Lake Tracts.
         4. Fair market value of the Dock Association docks.
2. Nino will develop and distribute to other task Force members for review and approval at the next meeting, a draft Council report to be submitted to the Council at the Jul 11th meeting.

1. Next Meeting. Monday, July 3rd at City Hall if available. If not, the location will be 706 Hall Avenue. **(6/28/17 Update: Jul 3rd meeting will be at 706 Hall Avenue.)**