

COMMON COUNCIL
February 5, 2019

A regular meeting of the Common Council was called to order at 7:00 pm by Mayor Birmingham. The Pledge of Allegiance was recited. Roll call: Catarozoli, Hayes, Ward, Avenson, Allmann, Wiederanders and Hauser were present.

Ward/Hauser to adopt agenda. Carried.

Chris Kellems, 120 Alabama Street; Christie Weber, 311 Pennsylvania Street; Scott Moore, 947 Pennsylvania Street spoke during public comment.

Ward/Allmann to approve following bills: General Fund - \$4,368,071.39, Capital Fund - \$15,695.55, Cable TV - \$6,991.83, TID #2 - \$323.00, TID #4 - \$2,772.36 and Solid Waste Enterprise Fund - \$16,526.01 for a grand total of \$4,410,380.17. Roll call: All voted aye. Carried.

Ward/Catarozoli to approve consent agenda:

- a. Approval of 1/15/19 regular Common Council minutes.
- b. Approval of the following minutes:
 - (1) Finance/Purchasing & Building Committee – 1/8/19
 - (2) Community Protection & Services Committee – 1/10/19
 - (3) Board of Public Works – 1/15/19
 - (4) City Plan Commission – 1/16/19
 - (5) Parking & Traffic Committee – 1/21/19
 - (6) Harbor Commission – 1/22/19
- c. Place the following reports on file:
 - (1) Police Department Report – December 2018
 - (2) Inspection Department Report – December 2018
 - (3) Fire Department Report – December 2018
- d. Consideration of: Approval of beverage operator license.
- e. Consideration of: Approval of Temporary Class B Beer and Temporary Class B Wine licenses and Class B Beer and Class C Wine license.
- f. Parking & Traffic Committee recommendation re: Approve additional signage and roadway painting at the intersection of S. Oxford Ave. and Tacoma Beach Rd., as recommended by staff.
- g. Parking & Traffic Committee recommendation re: Direct staff to start appraisal process for both the eminent domain and purchasing the whole parcel owned by Tim Ruenger.

Carried.

There were no mayoral appointments.

Public Hearing re: Considering an amendment to Chapter 20 of Municipal Code – Zoning Code – to allow structures designated as historic to be exempt from maximum height for a building subject to conditions. Community Development Director Olejniczak gave a brief introduction. Mayor Birmingham opened public hearing at 7:14 pm.

The following people spoke during public hearing: Scott Moore, 947 Pennsylvania Street; Shawn Fairchild, 311 Pennsylvania Street; Christie Weber, 311 Pennsylvania Street.

There were no letters of correspondence in favor or against amendment to Chapter 20 of the Municipal Code.

Mayor Birmingham closed public hearing at 7:18 pm.

Catarozoli/Allmann to approve first reading of ordinance re: Repeal and recreate Section 20.27(2) of the Municipal Code – Zoning Code – building height for historic structures. Carried.

Public Hearing re: Considering amendments to Chapter 20 of the Municipal Code – Zoning Code – pertaining to accessory dwelling units. Community Development Director Olejniczak gave a brief introduction. Mayor Birmingham opened public hearing at 7:28 pm.

The following people spoke during public hearing: Shawn Fairchild, 311 Pennsylvania Street; Scott Moore, 947 Pennsylvania Street; Christie Weber, 311 Pennsylvania Street.

There were no letters of correspondence in favor or against amendment to Chapter 20 of the Municipal Code.

Mayor Birmingham closed public hearing at 7:37 pm.

Catarozoli/Hauser to approve first reading of ordinance repealing and recreating Section 20.03 of the Municipal Code & creating Sections 20.10(2)(c), 20.11(2)(d), 20.12(2)(l), 20.175(2)(p), 20.22(2)(m) of the Municipal Code – Accessory Dwelling Units. Discussion led to setbacks, housing study and zoning. Roll call: Catarozoli, Avenson, Wiederanders and Hauser voted aye. Hayes, Ward and Allmann voted no. Carried.

Hauser/Avenson to override Mayoral Veto of Council Action approving Resolution to accept donation of Teweles and Brandeis Grain Elevator with endowment and to enter into a land lease and to request facilitation by the Door County Community Foundation. The operating costs along with the cost of restoration were discussed. Restoration costs for the granary to be used as a monument would be vastly different to restoration costs if the granary would be used for public use.

A ten minute recess was taken.

The amended resolution to accept donation of granary and voted on at the January 15, 2019 meeting was viewed. Roll call taken on motion: Catarozoli, Hayes, Avenson, Allmann and Hauser voted aye. Ward and Wiederanders voted no. Carried.

Attorney Kalny gave a brief overview of the development agreement between City of Sturgeon Bay and Sturgeon Bay Historical Society Foundation Inc. for Teweles & Brandeis Granary. The City has titled ownership of the proposed location for the granary, but not true ownership. The different agreements with conditions and timelines/deadlines for project were explained. No action was taken in open session.

Aldersperson Hayes would like to address the City policy when citizens can provide their name for public comment on future Community Protection & Services agenda.

City Administrator VanLieshout gave his report.

City Plan Commission member Hauser, Finance/Purchasing & Building Committee chair Ward, Park & Recreation chair Hauser, and Ad Hoc West Waterfront Planning Committee Co-Chair Hauser presented reports for their respective committees/commissions.

The Mayor made his comments.

After Mayor Birmingham announced the statutory basis, Ward/Allmann to convene in closed session in accordance with the following exemptions:

a. Conferring with legal counsel for governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Wis. Stats. 19.85(1)(g) Consideration of: Settlement Agreement with Friends of the Sturgeon Bay Public Waterfront, Shawn M. Fairchild, Carri Andersson, Linda Cockburn, Russ Cockburn, Kathleen Finnerty and Christy Weber v. City of Sturgeon Bay and Waterfront Redevelopment Authority of the City of Sturgeon Bay.

b. Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Wis. Stats. 19.85(1)(e) Consideration of: Development Agreement between City of Sturgeon Bay and Sturgeon Bay Historical Society Foundation Inc. for Teweles & Brandeis Granary.

Roll call: All voted aye. Carried. The meeting moved to closed session at 9:24 pm and adjourned at 10:50 pm.

Respectfully submitted,

Laurie A. Spittlemeister
Deputy Clerk/Treasurer