



**CITY OF STURGEON BAY COMMON COUNCIL AGENDA  
TUESDAY, OCTOBER 15, 2019  
7:00 P.M.  
COUNCIL CHAMBERS, CITY HALL – 421 MICHIGAN ST  
DAVID J. WARD, MAYOR**

1. Call to order.
2. Pledge of Allegiance.
3. Roll call.
4. Adoption of agenda.
5. Public Comment.
6. Consideration of the following bills: General Fund – \$199,743.86, Capital Fund - \$28,293.02, Cable TV - \$473.00, TID #4 - \$1,182.50 and Solid Waste Enterprise Fund - \$2,310.29 for a grand total of \$232,002.70. roll call]
7. **CONSENT AGENDA**
  - \* All items listed with an asterisk (\*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests before the Adoption of the Agenda, in which event the item will be removed from the Consent Agenda and considered immediately following the consent agenda.
  - \* a. Approval of 10/1/19 regular Common Council minutes.
  - \* b. Approval of the following minutes:
    1. Sturgeon Bay Utility Commission – 7/9/19
    2. Sturgeon Bay Utility Commission – 8/13/19
    3. Joint Parks & Recreation Committee/Board – 9/25/19
    4. Personnel Committee – 9/30/19
    5. Committee of the Whole – 9/30/19
    6. City Plan Commission – 9/30/19
    7. Finance/Purchasing & Building Committee – 10/1/19
    8. Committee of the Whole – 10/7/19
  - \* c. Place the following reports on file:
    1. Inspection Department Report – September 2019
    2. Police Department Report – September 2019
  - \* d. Finance/Purchasing & Building Committee recommendation re: Approve the Intergovernmental Agreement between City of Sturgeon Bay and the County of Door for the conveyance of real property for purposes related to affordable and attainable housing.
  - \* e. Consideration of: Street Closure Application for Anthony Scimeca.
8. Mayoral appointments.

9. Joint Parks & Recreation Committee/Board recommendation re: Identify Cherry Blossom Park as a dog free park in accordance with ADA federal law for accommodations of disabilities.
10. Discussion re: Development Agreement with Sturgeon Bay Historical Society.
11. Review of Ad Hoc West Waterfront Planning Committee recommendations.
12. Items to be Included on Future Agendas (New Business).
13. Committee Chairperson Reports:
  - a. Personnel Committee
  - b. Parking & Traffic Committee
  - c. Community Protection & Services Committee
  - d. Utility Commission
14. City Administrator report.
15. Mayor's report.
16. Adjourn.

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.

Posted:

Date: 10-11-19

Time: 1:00pm

By: 

DATE: 10/08/2019  
TIME: 14:27:09  
ID: AP443ST0.WOW

6.

CITY OF STURGEON BAY  
DEPARTMENT SUMMARY REPORT

6.

INVOICES DUE ON/BEFORE 10/15/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
GENERAL FUND				
LIABILITIES				
19610	RICHARD STUEWER	09/19 INSURE REIMBURSE/STUEWER	01-000-000-21530	314.77
COUNTRY	CVF MAPLE LLC	10.5.19 FOOD SHARE/CVF MAPLE	01-000-000-21595	6.00
R0000985	SULLYS THUMBS UP PRODUCE	9.28.19 FOOD SHARE/SULLYS	01-000-000-21595	89.00
R0000991	SPERBER FARMS	9.28.19 FOOD SHARE/SPERBER	01-000-000-21595	20.00
R0001128	MALVITZ FARMS	10.5.19 FOOD SHARE/MALVITZ	01-000-000-21595	112.00
R0001291	MAI LEE	10.5.19 FOOD SHARE/MAI LEE	01-000-000-21595	90.00
R0001488	BOB BORDEAU	9.28.19 FOOD SHARE/BORDEAU	01-000-000-21595	104.00
R0001498	VANG MEE YANG	10.5.19 FOOD SHARE/VANG YANG	01-000-000-21595	8.00
R0001510	DAVID BOYARSKI	9.28.19 FOOD SHARE/EMERALD	01-000-000-21595	49.00
THORP	PAT THORP	09.28.19 FOOD SHARE/PATS PATCH	01-000-000-21595	38.00
TOTAL LIABILITIES				830.77
FY 2000 PRINCIPAL				
01761	ASSOCIATED TRUST COMPANY	GO PROM NOTE 8.22.19 PAY AGENT	01-000-906-70002	325.00
TOTAL FY 2000 PRINCIPAL				325.00
LEAF VAC				
CITIZENS	HUNTINGTON NATIONAL BANK	LEAF VAC	01-000-972-70000	2,682.00
CITIZENS		LEAF VAC	01-000-972-70001	289.66
TOTAL LEAF VAC				2,971.66
TANDEM AXLE				
CITIZENS	HUNTINGTON NATIONAL BANK	TANDEM AXEL	01-000-973-70000	16,421.35
CITIZENS		TANDEM AXEL	01-000-973-70001	1,773.51
TOTAL TANDEM AXLE				18,194.86
ANNUAL RESURFACING				
CITIZENS	HUNTINGTON NATIONAL BANK	ANNUAL RESURFACING	01-000-975-70000	1,900.00
CITIZENS		ANNUAL RESURFACING	01-000-975-70001	205.20
TOTAL ANNUAL RESURFACING				2,105.20
EGG HARBOR RD IMP/DES				
CITIZENS	HUNTINGTON NATIONAL BANK	EGG HARBOR RD IMPROVEMENTS	01-000-976-70000	8,310.00
TOTAL EGG HARBOR RD IMP/DES				8,310.00
EGG HARBOR RD/N 8TH INT				
CITIZENS	HUNTINGTON NATIONAL BANK	EGG HRBR RD & 8TH AVE	01-000-977-70000	16,200.00
CITIZENS		EGG HRBR RD & 8TH AVE	01-000-977-70001	1,749.60
TOTAL EGG HARBOR RD/N 8TH INT				17,949.60
BALLFIELD LIGHTING				
WPPI ENG	WPPI ENERGY	10/19 ATHLETIC FLD LIGHT PROJ	01-000-981-70000	1,365.39
TOTAL BALLFIELD LIGHTING				1,365.39
TOTAL GENERAL FUND				52,052.48

DATE: 10/08/2019  
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VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
GENERAL FUND				
03133	CELLCOM WISCONSIN RSA 10	09/19 3 ALDERS CELL PHONES	01-105-000-58999	115.97
		TOTAL		115.97
		TOTAL CITY COUNCIL		115.97
LAW/LEGAL				
BUELOW	BUELOW, VETTER, BUIKEMA,	09/19 GENERAL LABOR MATTERS	01-110-000-57900	354.00
		TOTAL		354.00
		TOTAL LAW/LEGAL		354.00
CITY CLERK-TREASURER				
BUBRICKS	BUBRICK'S COMPLETE OFFICE, INC	PENS/POST ITS/INDEX DIVIDERS	01-115-000-51950	60.02
BUBRICKS		2 BLACK TONER	01-115-000-51950	161.82
		TOTAL		221.84
		TOTAL CITY CLERK-TREASURER		221.84
ADMINISTRATION				
BUBRICKS	BUBRICK'S COMPLETE OFFICE, INC	BLACK TONER	01-120-000-51950	80.91
		TOTAL		80.91
		TOTAL ADMINISTRATION		80.91
COMPUTER				
04696	DOOR COUNTY TREASURER	09/19 IS INTERNET CHARGES	01-125-000-55550	100.00
04696		09/19 4TH QTR SOFTWARE	01-125-000-55550	5,969.49
04696		09/19 TECH SUPPORT	01-125-000-55550	2,500.00
04696		09/19 2 G INTERNET	01-125-000-55550	375.00
		TOTAL		8,944.49
		TOTAL COMPUTER		8,944.49
CITY ASSESSOR				
ASSO APP	ASSOCIATED APPRAISAL	10.15.19 CONTRACT	01-130-000-55010	1,333.33
		TOTAL		1,333.33
		TOTAL CITY ASSESSOR		1,333.33



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INVOICES DUE ON/BEFORE 10/15/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
GENERAL FUND				
BUILDING/ZONING CODE ENFORCEMT				
DCI	DOOR COUNTY INSPECTIONS, LLC	SEPT PERMITS	01-140-000-55010	5,166.61
		TOTAL		5,166.61
		TOTAL BUILDING/ZONING CODE ENFORCEMT		5,166.61
MUNICIPAL SERVICES ADMIN.				
12100	LAMPERT YARDS INC	TREATED LUMBER/BOXES	01-145-000-56250	42.84
		TOTAL		42.84
		TOTAL MUNICIPAL SERVICES ADMIN.		42.84
CITY HALL				
03159	CHARTER COMMUNICATIONS	09/19 FIRE CABLE SVC	01-160-000-58999	135.34
04966	EAGLE MECHANICAL INC	PARTS/LABOR CITY HALL WTR SYST	01-160-000-58999	2,626.29
05500	ENERGY CONTROL AND DESIGN INC	FD CONTROL VALVE	01-160-000-55300	36.30
WARNER	WARNER-WEXEL WHOLESALE &	TOWELING	01-160-000-51850	24.73
		TOTAL		2,822.66
		TOTAL CITY HALL		2,822.66
INSURANCE				
MCCLONE	MCCLONE AGENCY, INC	11/19 GEN LIAB	01-165-000-56400	3,253.00
MCCLONE		11/19 POLICE LIAB	01-165-000-57150	1,289.00
MCCLONE		11/19 PUBLIC OFFCL	01-165-000-57400	1,235.00
MCCLONE		11/19 AUTO LIAB	01-165-000-55200	1,908.00
MCCLONE		11/19 AUTO PHY DAMAGE	01-165-000-55200	1,887.00
		TOTAL		9,572.00
		TOTAL INSURANCE		9,572.00
GENERAL EXPENDITURES				
04696	DOOR COUNTY TREASURER	4TH QTR TAP IT	01-199-000-58200	16.75
04696		4TH QTR CISCO PHONE MAINT	01-199-000-58200	352.10
04696		09/19 CITY HALL PHONE SVC	01-199-000-58200	85.79
04696		09/19 FIRE PHONE SVC	01-199-000-58200	35.41
04696		09/19 MUN SVC PHONE SVC	01-199-000-58200	35.71
04696		09/19 POLICE PHONE SVC	01-199-000-58200	56.19
BUBRICKS	BUBRICK'S COMPLETE OFFICE, INC	6 CASES COPY PAPER	01-199-000-55650	203.94
BUILDING	BUILDING SERVICE, INC	1 CHAIR CITY ADMIN ASSIST	01-199-000-55605	396.18
REVIZE	REVIZE, LLC	WEBSITE DESIGN	01-199-000-51100	7,500.00
		TOTAL		8,682.07
		TOTAL GENERAL EXPENDITURES		8,682.07

INVOICES DUE ON/BEFORE 10/15/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
GENERAL FUND				
POLICE DEPARTMENT				
15890	PACK AND SHIP PLUS	SHIPPING/D TEBO	01-200-000-57250	10.29
19959	SUPERIOR CHEMICAL CORP	SOAPY HAND WIPES	01-200-000-51950	51.63
STAPLES	WISCONSIN DOCUMENT IMAGING LLC	4302 BLACK COPIES	01-200-000-51600	57.65
STAPLES		724 COLOR COPIES	01-200-000-51600	28.96
US BANK	US BANK EQUIPMENT FINANCE	RICOH COPIER 44 OF 48	01-200-000-55650	167.00
US BANK		PROPERTY DAMAGE SURCHARGE	01-200-000-55650	27.02
TOTAL				342.55
TOTAL POLICE DEPARTMENT				342.55
POLICE DEPARTMENT/PATROL				
01766	AURORA MEDICAL GROUP	DRUG SCREEN CSO/ T BERGENE	01-215-000-57100	25.00
04575	DOOR COUNTY HARDWARE	KEY TAGS/SQUAD CARS	01-215-000-54999	25.13
920DETAI	920DETAILING,LLC	6 SQUAD INTERIOR DETAILING	01-215-000-58600	90.00
JOSE	ERIC JOSE	MEAL EXPNSE ICAC TRNIN/JOSE	01-215-000-55600	36.72
TOTAL				176.85
TOTAL POLICE DEPARTMENT/PATROL				176.85
FIRE DEPARTMENT				
16570	PIONEER FIRE COMPANY	EXTRICATION CLASS	01-250-000-55600	1,760.00
TOTAL				1,760.00
TOTAL FIRE DEPARTMENT				1,760.00
STORM SEWERS				
14490	NEENAH FOUNDRY	2 FRAMES @ 183.00	01-300-000-51150	366.00
14490		2 FRAMES @ 336.00	01-300-000-51150	672.00
14490		SHIPPING	01-300-000-51150	220.50
19880	STURGEON BAY UTILITIES	09/19 JETTER USAGE	01-300-000-57700	13.34
TOTAL				1,271.84
TOTAL STORM SEWERS				1,271.84
COMPOST/SOLID WASTE SITE				
RENEW	RENEWABLE FOREST PRODUCTS, INC	BRUSH/COMPOST GRINDING LABOR	01-320-000-57700	7,600.00
RENEW		BRUSH/COMPOST GRIND EXCAVATOR	01-320-000-57700	1,200.00
RENEW		BRUSH/COMPOST GRIND MOBILIZATN	01-320-000-57700	900.00
TOTAL				9,700.00
TOTAL COMPOST/SOLID WASTE SITE				9,700.00

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-----				
GENERAL FUND				
ROADWAYS/STREETS				
04545	DOOR COUNTY COOPERATIVE/NAPA	GRASS SEED	01-400-000-52500	119.50
04696	DOOR COUNTY TREASURER	7.92 TONS HOT MIX ASPHALT	01-400-000-52200	333.59
TOTAL				453.09
TOTAL ROADWAYS/STREETS				453.09
SNOW REMOVAL				
GREENPRO	GREEN PRO SOLUTIONS	10 SALT NEUTRALIZER CONCNRATE	01-410-000-51400	899.50
TOTAL				899.50
TOTAL SNOW REMOVAL				899.50
STREET SIGNS AND MARKINGS				
04276	DIAMOND VOGEL PAINT CENTER	15 GAL WHITE PAINT	01-420-000-52100	166.20
TOTAL				166.20
TOTAL STREET SIGNS AND MARKINGS				166.20
CURB/GUTTER/SIDEWALK				
10750	PREMIER CONCRETE INC	4.5 CY OF CONCRETE	01-440-000-51200	519.50
TOTAL				519.50
TOTAL CURB/GUTTER/SIDEWALK				519.50
STREET MACHINERY				
04545	DOOR COUNTY COOPERATIVE/NAPA	TRANSMISSION OIL FILTER	01-450-000-53000	49.06
04545		BFLUID DOT	01-450-000-53000	3.20
06012	FASTENAL COMPANY	CABLE TIES	01-450-000-52150	15.30
06012		HARDWARE	01-450-000-52150	17.85
06012		HARDWARE	01-450-000-52150	7.02
06012		HARDWARE	01-450-000-52150	33.76
06012		HARDWARE	01-450-000-52150	25.16
ADVAUTO	GENERAL PARTS DISTRIBTION LLC	FUEL ADDITIVE	01-450-000-52150	137.65
AMERWELD	AMERICAN WELDING & GAS, INC	GASES-CYLINDER RENTAL	01-450-000-52150	185.49
APPLY MS	APPLIED MSS	3 PC STEP DRILL SET	01-450-000-52150	138.19
APPLY MS		HOLE CUTTER KIT	01-450-000-52150	176.99
APPLY MS		DRILL BIT SET	01-450-000-52150	57.00
APPLY MS		SHIPPING	01-450-000-52150	
TOTAL				846.67
TOTAL STREET MACHINERY				846.67
HIGHWAYS - GENERAL				

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-----				
GENERAL FUND				
MIKEALLE	MIKE ALLEN	SAFETY BOOT REIMB/M ALLEN	01-499-000-56800	187.50
TOTAL				187.50
TOTAL HIGHWAYS - GENERAL				187.50
PARK & RECREATION ADMIN				
23200	WDOR	8 FARM MARKET ADS	01-500-000-52250	96.00
CASE COM	CASE COMMUNICATIONS	10 FARM MARKET ADS	01-500-000-52250	99.50
TOTAL				195.50
TOTAL PARK & RECREATION ADMIN				195.50
PARKS AND PLAYGROUNDS				
03025	CAPTAIN COMMODES INC	3 PORT A POTTI RENTALS	01-510-000-58999	243.00
04545	DOOR COUNTY COOPERATIVE/NAPA	GEAR OIL	01-510-000-53000	8.99
04545		AIR BAGS LIFT KIT	01-510-000-53000	425.00
06012	FASTENAL COMPANY	GREASE GUN/DRILL DRIVER	01-510-000-52700	340.98
19070	SCHARTNER IMPLEMENT INC	SWITCH	01-510-000-53000	49.00
19860	STURGEON BAY SAND & GRAVEL	SCREENED TOP SOIL	01-510-000-51750	68.40
20725	T R COCHART TIRE CENTER	TIRE REPAIR/GATOR	01-510-000-53000	20.00
O'REILLY	O'REILLY AUTO PARTS-FIRST CALL	WIPER BLADES	01-510-000-53000	37.98
WARNER	WARNER-WEXEL WHOLESALE &	CLEANING SUPPLIES	01-510-000-51850	35.06
TOTAL				1,228.41
TOTAL PARKS AND PLAYGROUNDS				1,228.41
BALLFIELDS				
20900	TRUGREEN LIMITED PARTNERSHIP	LAWN SERVICE ROTARY FLD	01-520-000-58999	86.57
20900		LAWN SERVICE/KIWANIS FLD	01-520-000-58999	86.57
20900		LAWN SERVICE LIONS FLD	01-520-000-58999	86.57
20900		LAWN SERVICE JAYCEE FLD	01-520-000-58999	114.02
20900		LAWN SERVICE OPT & BAY FLDS	01-520-000-58999	133.02
20900		LAWN SERVICE-PBI FLD	01-520-000-58999	69.67
TOTAL				576.42
TOTAL BALLFIELDS				576.42
WATER WEED MANAGEMENT				
FEUERSTE	FEUERSTEIN MACHINE-REPAIR INC	MATERIALS/FREIGHT-HARVESTOR	01-560-000-51400	2,484.00
FEUERSTE		LABOR	01-560-000-51400	310.00
TOTAL				2,794.00
TOTAL WATER WEED MANAGEMENT				2,794.00

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CITY OF STURGEON BAY  
 DEPARTMENT SUMMARY REPORT

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VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
<b>GENERAL FUND</b>				
<b>WATERFRONT PARKS &amp; WALKWAYS</b>				
TRACTOR	TRACTOR SUPPLY CREDIT PLAN	TULIP BULBS 10 @ 9.99	01-570-000-51750	99.90
TRACTOR		TULIP BULBS 4 @ 5.99	01-570-000-51750	23.96
TOTAL				123.86
TOTAL WATERFRONT PARKS & WALKWAYS				123.86
<b>EMPLOYEE BENEFITS</b>				
EBC CORP	EMPLOYEE BENEFITS CORPORATION	09/19 FSA/HRA	01-600-000-50510	122.50
TOTAL				122.50
TOTAL EMPLOYEE BENEFITS				122.50
TOTAL GENERAL FUND				110,753.59
<b>CAPITAL FUND</b>				
<b>CITY HALL</b>				
EXPENSE				
JJ ROOF	JJ'S ROOFING & CONST LLC	BAL DUE ROOF REPLACEMENT	10-160-000-59999	2,100.00
TOTAL EXPENSE				2,100.00
TOTAL CITY HALL				2,100.00
<b>ROADWAYS/STREETS</b>				
LEAD LATERAL				
14826	NORTHEAST ASPHALT, INC.	ASPHALT 3 ALLEYS	10-400-000-59100	25,208.27
TOTAL LEAD LATERAL				25,208.27
TOTAL ROADWAYS/STREETS				25,208.27
<b>CURB/GUTTER/SIDEWALK</b>				
EXPENSE				
04545	DOOR COUNTY COOPERATIVE/NAPA	GRASS SEED/PROJECT 1901	10-440-000-59102	239.00
TOTAL EXPENSE				239.00
TOTAL CURB/GUTTER/SIDEWALK				239.00
<b>MUNICIPAL DOCKS</b>				
EXPENSE				
KEY	KEY INDUSTRIAL PLASTICS, INC.	CUSTOM CUTTING BOARDS/FISH TBL	10-550-000-59075	353.00
TOTAL EXPENSE				353.00
TOTAL MUNICIPAL DOCKS				353.00

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PAGE: 8

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CAPITAL FUND				
COMMUNITY & ECONOMIC DEVLPMT				
BUILDING	BUILDING SERVICE, INC	1 CHAIR -CDVL	10-900-000-59030	392.75
TOTAL				392.75
TOTAL COMMUNITY & ECONOMIC DEVLPMT				392.75
TOTAL CAPITAL FUND				28,293.02
CABLE TV				
CABLE TV / GENERAL				
CABLE TV / GENERAL				
02975	CAMERA CORNER	POWER SUPPLY	21-000-000-52700	94.99
02975		HD CAMERA INSTALL-LABOR	21-000-000-59070	310.00
03159	CHARTER COMMUNICATIONS	09/19 CB MUSIC SVC	21-000-000-58999	68.04
TOTAL CABLE TV / GENERAL				473.03
TOTAL CABLE TV / GENERAL				473.03
TOTAL CABLE TV				473.03
TID #4 DISTRICT				
TID #4 DISTRICT				
TID #4 DISTRICT				
CEDARCO	CEDAR CORPORATION	FESTIVAL WTRFRNT PROJECT	28-340-000-58999	165.00
STAFFORD	STAFFORD ROSENBAUM LLP	08/19 BULKHEAD/OHWM MATTERS	28-340-000-55001	1,017.50
TOTAL TID #4 DISTRICT				1,182.50
TOTAL TID #4 DISTRICT				1,182.50
TOTAL TID #4 DISTRICT				1,182.50
SOLID WASTE ENTERPRISE				
SOLID WASTE ENTERPRISE FUND				
SOLID WASTE ENTERPRISE FUND				
BRIDGEPO	BRIDGEPORT MANUFACTURING, INC	TAILGATE CYLINDER	60-000-000-53000	776.25
BRIDGEPO		SHIPPING	60-000-000-53000	35.69
PACKER	PACKER CITY TRUCKS, INC	COMPUTER COMPONENTS USB LINK	60-000-000-59999	1,162.35
PACKER		LABOR	60-000-000-59999	264.00
PACKER		COMPUTER CHARGE	60-000-000-59999	60.00
PACKER		FREIGHT	60-000-000-59999	12.00
TOTAL SOLID WASTE ENTERPRISE FUND				2,310.29
TOTAL SOLID WASTE ENTERPRISE FUND				2,310.29
TOTAL SOLID WASTE ENTERPRISE				2,310.29
TOTAL ALL FUNDS				143,012.43

**MANUAL CHECKS**

DELTA DENTAL	\$5,963.21
10/01/19	
Check # 85828	
October Dental Insurance	
Various Departmental Accounts	
 NETWORK HEALTH	 \$83,027.06
10/03/19	
Check # 85828	
October Health Insurance	
Various Departmental Accounts	
 <b>TOTAL MANUAL CHECKS</b>	 <b>\$88,990.27</b>

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VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
SUMMARY OF FUNDS:				
GENERAL FUND		<del>110,753.59</del>		199,743.86
CAPITAL FUND		28,293.02		
CABLE TV		473.03		
TID #4 DISTRICT		1,182.50		
SOLID WASTE ENTERPRISE		2,310.29		
			-----	
TOTAL --- ALL FUNDS		<del>143,612.43</del>		232,002.70

Heidi Bacon October 8, 2019  
SPIT WASTEWATER 10/8/19  
Jan W 10/8/19



COMMON COUNCIL  
October 1, 2019

A regular meeting of the Common Council was called to order at 7:00 pm by Mayor Ward. The Pledge of Allegiance was recited. Roll call: Bacon, Williams, Avenson, Nault, Wiederanders and Reeths were present. Hayes was excused.

Avenson/Williams to adopt agenda. Carried.

Roger Pinkert, 942 Jefferson Place; Chris Kellems, 120 Alabama Street; and Scott Moore, 947 Pennsylvania Street spoke during public comment.

Bacon introduced. Bacon/Wiederanders to approve following bills: General Fund - \$115,336.84, Capital Fund - \$136,041.10, Cable TV - \$5,101.67 and Solid Waste Enterprise Fund - \$19,166.14 for a grand total of \$275,645.75. Roll call: All voted aye. Carried.

Nault/Reeths to approve amended consent agenda:

- a. Approval of 9/17/19 regular Common Council minutes.
- b. Approval of the following minutes:
  - (1) Personnel Committee – 8/27/19
  - (2) Finance/Purchasing & Building Committee – 9/10/19
- c. Place the following reports on file:
  - (1) Bank Reconciliation – August 2019
  - (2) Revenue & Expense Report – August 2019
  - (3) Fire Department – August 2019
  - (4) Police Department – August 2019
- d. Consideration of: Approval of beverage operator license.
- e. Finance/Purchasing & Building Committee recommendation re: Purchase a Chevrolet Silverado 1500 WT 4 x 4 from Ewald Chevrolet, Oconomowoc at a price not to exceed \$26,445 including the \$3,500 trade in of a 2006 Chevrolet 1500.

Carried.

There were no mayoral appointment:

Williams to read in title only. Williams/Wiederanders to approve second reading of ordinance re: Amending Chapter 25 of the Municipal Code – Penalty Provisions. Wiederanders commented on how the change in ordinance evolved. Carried with Nault voting no.

Williams to read in title only. Williams/Reeths to approve second reading of ordinance re: Amending Chapter 36 of the Municipal Code – Ethics Board structure/membership. Carried.

The following items were requested for future agendas: (Avenson) Park & Recreation – Park assessment of Big Hill Park; (Bacon) agrees Big Hill Park should be on Park & Recreation agenda.

City Plan Commission Chair Ward, Finance/Purchasing & Building Committee Chair Bacon, and Park & Recreation Committee Vice Chair Nault presented reports for their respective committees/commissions.

City Administrator VanLieshout gave his report.

Mayor Ward gave his report.

Wiederanders/Bacon to adjourn. Carried. Meeting adjourned at 7.32 pm.

Respectfully submitted,

A handwritten signature in blue ink that reads "Laurie A. Spittlemeister". The signature is written in a cursive, flowing style.

Laurie A. Spittlemeister  
Deputy Clerk/Treasurer

STURGEON BAY UTILITIES  
Regular Meeting  
July 9<sup>th</sup>, 2019

Vice President Steve Christoferson called the regular meeting of the Utilities Commission to order at 12:00 p.m. at the Sturgeon Bay Utilities office. Roll call: Mayor David Ward, Commissioners Steve Christoferson, Dan Williams, Gary Nault and Seth Wiederanders were present. Also present were General Manager James Stawicki, Operations Manager Cliff White, Electric Supervisor Jason Bieri and recording secretary Laurie Bauldry.

Ward/Williams to adopt the agenda (complete copy on file at the Utility office). Motion carried.

Nault/Wiederanders to approve the minutes of the regular meeting held on June 11<sup>th</sup>, 2019. Motion carried.

The Commission proceeded to review the bills for June in the amount of \$1,606,227.89. Christoferson/Ward to approve payment of the bills. Motion carried.

The May 2019 financials were presented. Ward/Williams to accept the financials. Motion carried.

General Manager Stawicki reported on the current investments and their allocations. No formal action was taken.

Next was consideration of a voluntary capital contribution to ATC. The contribution of \$30,455.00 is due on July 31<sup>st</sup>, 2019. Williams/Nault to approve the ATC contribution of \$30,455.00 due July 31<sup>st</sup>, 2019. Motion carried

The operations report was presented by Operations Manager White. Ward/Nault to accept the Operations Report for June. Motion carried.

The next item of business was the General Manager's report:

- a) Adjustments
- b) Focus on Energy update

Stawicki reported 2019 year-to-date incentives from Focus on Energy for energy efficiency and conservation is \$ 36,954.94.

Nault/Ward to adjourn. Motion carried. The meeting adjourned at 12:55 p.m.

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Steve Christoferson  
Secretary

Approved for publication:

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Stewart Fett  
President

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James Stawicki  
General Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_

STURGEON BAY UTILITIES  
Regular Meeting  
August 13<sup>th</sup>, 2019

President Stewart Fett called the regular meeting of the Utilities Commission to order at 12:00 p.m. at the Sturgeon Bay Utilities office. Roll call: President Stewart Fett, Mayor David Ward, Commissioners Cindy Weber, Steve Christoferson, Dan Williams, Gary Nault and Seth Wiederanders were present. Also present were General Manager James Stawicki, Operations Manager Cliff White, Electric Supervisor Jason Bieri, City of Sturgeon Bay Financial Director Val Clarizio, Jon Blahnik of Raymond James and recording secretary Laurie Bauldry.

Ward/Williams to adopt the agenda (complete copy on file at the Utility office). Motion carried.

Williams/Nault to approve the minutes of the regular meeting held on July 9<sup>th</sup>, 2019. Motion carried.

Jon Blahnik from Raymond James then provided a review of SBU's investment performance and market updates.

The Commission proceeded to review the bills for July in the amount of \$2,200,737.31. Fett/Ward to approve payment of the bills. Motion carried.

The June 2019 financials were presented. Williams/Wiederanders to accept the financials. Motion carried.

General Manager Stawicki reported on the current investments and their allocations. No formal action was taken.

The operations report was presented by Operations Manager White. Fett/Nault to accept the Operations Report for July. Motion carried.

The next item of business was the General Manager's report:

- a) Adjustments
- b) Focus on Energy update

Stawicki reported 2019 year-to-date incentives from Focus on Energy for energy efficiency and conservation is \$ 46,341.44.

Nault/Christoferson to adjourn. Motion carried. The meeting adjourned at 1:16 p.m.

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Steve Christoferson  
Secretary

Approved for publication:

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Stewart Fett  
President

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James Stawicki  
General Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_

CITY OF STURGEON BAY  
JOINT PARK AND RECREATION COMMITTEE/BOARD MEETING  
Wednesday, September 25, 2019  
Council Chambers, City Hall, 421 Michigan Street  
5:30 p.m.

A meeting of the Joint Park and Recreation Committee / Board was called to order at 5:34 p.m. by Chairperson Hayes in Council Chambers, City Hall, 421 Michigan Street.

**Roll Call:** Members present were Ald. Hayes, Ald. Nault, Ald. Bacon, Marilyn Kleist, Randy Morrow, Chris Larson, George Husby, Jay Renstrom, and also present Municipal Services Director Mike Barker and Municipal Services Secretary Lynnae Kolden

**Adoption of the Agenda:** Moved by Ald. Nault to approve amended agenda seconded by Ald. Bacon. Amended agenda move #5. Presentation / Update on Graham Park to the October meeting.

1. Roll call
2. Adoption of agenda
3. Public comment on agenda and non-agenda items
4. Approval of minutes from August 28, 2019
5. ~~Presentation / Update on Graham Park~~
6. Discussion of: Potential upgrade at Sunset Park
7. Discussion of: Hiring a company to design a new pavilion at Sunset Park
8. Consideration of: Dog Free Park - Cherry Blossom
9. Discussion of: Partnership with Boys & Girls Club - STEM at Martin Park
10. Discussion of: Sign area at Martin Park
11. Discussion of: Park assessments Otumba Park, Sawyer Park & Nautical Dr.
12. Directors Report
13. Future Agenda Items
14. Adjourn

All in Favor. Carried.

**Public Comment:** Rose Wodack, 421 N. 4<sup>th</sup> Ave., spoke in support of a dog free park. Chris Kellems, 120 Alabama St., spoke on Sunset Park and Nautical Dr. Kelly Avenson 46 E. Pine St., spoke in regards to a dog free park at Cherry Blossom and the concern that the area doesn't have sidewalks. Claire Morkin, 110 N. Joliet, spoke on Otumba Park.

**Approval of Minutes from August 28, 2019:** Moved by Ald. Bacon, seconded by Mr. Renstrom. All in favor. Carried.

**Discussion of:** Potential upgrade at Sunset Park – Ald. Hayes asked the Committee / Board to prioritize or establish if anything needed to be added to the 2020 budget. Mr. Barker stated he was looking for the subsequent year's priorities. Discussion took place among the Committee / Board on the priority of items to be upgraded. Ald. Bacon stated that getting the dredging done at Little Lake was a great start to Sunset Park. Additional discussion took place, on updates to the pavilion, paths along Little Lake and additional water access points that would be top priorities in the subsequent years.

**Discussion of:** Hiring a company to design a new pavilion at Sunset Park – Discussion took place in regards to replacing or fixing up the pavilion at Sunset Park and the cost associated with both options. Mr. Husby mentioned that the pavilion at Sunset Park is a dedicated named building and would need to be reviewed if replacing the pavilion. After discussing all the different possibilities, the Committee / Board agreed to have the bathrooms updated, so they are ready for next season.

**Consideration of:** Dog Free Park - Cherry Blossom: Ald. Hayes stated we heard from the alderperson from that district and from Rose Wodack. Ald. Bacon stated that she wasn't sure that Cherry Blossom is the right park to be dog free. She does feel that there should be an area that is dog free. Mr. Morrow was also concerned about Cherry Blossom becoming a dog free park, he is aware that there is a client of the Sunshine House that does have a service dog, and they use the park for events. He thought we should review the ADA rules and make sure we aren't breaking any laws. Ald. Hayes stated that he feels we need to accommodate for a dog free park and that there are other parks that people with service dogs could attend so they are accommodated for their disability as well. Mr. Husby agrees that we should have a dog free park. Mr. Larsen asked if documentation was shown to verify the severe 17 second deadly allergy to dogs and that we are not just taking someone's word. Ald. Nault, asked if we have asked the past City Administrator if he did offer 2 dog free parks, because we have taken her word for that. Mr. Morrow would like to make sure that we understand from a legal standpoint the American Disability Act laws.

Motion made by Ald. Bacon to Identify Cherry Blossom Park as a dog free park in accordance with ADA federal law for accommodations of disabilities. Jay Renstrom seconded.

Discussion continued. Ald. Nault requested if it passes that we put up signage to inform people and give the location of the Shiloh Dog Park. Mr. Morrow was still concerned as the Sunshine house does use that park for events and now their employee who has a seeing eye dog can't attend those events. Ald. Hayes stated maybe they can move those events to other parks. Discussion took place stating that a guide dog can go anywhere. Mr. Morrow stated that it was just stated that the right to breath trumps the right to see. Ald. Hayes stated he would ask the City to review the ADA laws. Mr. Renstrom said the issue he sees with Cherry Blossom is that the Anaphee trail borders the park and that a fence won't stop the proximity or dander from getting the park. Ald. Hayes stated that was the park that was identified in the past, as the park that was offered as dog free.

Vote taken. 7 in favor, 1 opposed. Motion Carried

**Discussion of:** Partnership with Boys & Girls Club - STEM at Martin Park – The Boys & Girls Club President is willing to come to discuss possible options for some STEM items at Martin Park. Ald. Hayes wanted to start the discussion and see if it is something that the Committee / Board wants to pursue for Martin Park. Ms. Kleist asked how much of the Park is needed. Ald. Bacon stated the items are smaller and could go along the edges. Mr. Morrow concerned about safety on the edges for the kids, suggested maybe it could go back by the bathrooms. Ald. Hayes asked if the items are installed permanently or are they moveable and get changed out. Ald. Nault asked for it to be tabled until we hear more from the Boys & Girls Club on STEM. The Committee / Board agreed and is interested in getting more information regarding STEM.

**Discussion of:** Sign area at Martin Park – Mr. Morrow brought up concerns over all the different types of banners and the way they are installed in the parks. Discussion took place regarding the four different locations within the City for banners to be displayed. There is concern that the banners are getting all tattered and torn in the wind, and don't look good for the duration of the banner placement along with the safety of tying the banners to the support poles. Mr. Morrow suggested that the banner guidelines need to be reviewed and tightened up, so that banners are all the same size and will work well with the Way Finder Project that the City is doing with the SBVC. He also stated that the corner at Martin Park may be a great spot for a digital type of sign that could be more like an art piece. Ald. Nault stated that the SBVC is looking into digital Signs, four digital signs may be too expensive, so it was suggested to have the City install one digital sign out on the highway, and to have a wood frame built to put the banners at the other four locations. There is also concern over advertising out of town events within the City at the four banner locations. Ald. Bacon stated that the ADRC has a digital sign and they are not allowed to scroll messages for traffic safety reasons. The Committee / Board made a recommendation to CP&S to work with SBVC Way Finder project to identify unified sign standards for banners within the City parks and to direct it to the Aesthetic Design Committee after they have the standards.

#### **Discussion of: Park Assessments**

**Otumba Park:** Ald. Hayes reviewed the park details. Discussion took place on the concrete plaza area and if it still needs to be established or removed. The Committee / Board agreed to remove the concrete plaza area due to damage from fires on the concrete slab. Mr. Morrow asked that we update the plan with the additional swim area and platform that was approved from the Ad Hoc Beaches committee. Ald. Hayes questioned if the shelter needs to be expanded or updated. Ms. Kleist, asked about the bathrooms and if they needed to be updated or replaced. Ald. Hayes asked about the need for a ½ wall at the courts. Mr. Renstrom mentioned a ½ wall would be great for both the tennis and pickleball players. Ald. Nault asked if the park could be spruced up in the spring by painting and mulching. Discussion took place that this is a great thing to ask the friends of the park groups (park adopters) to help with.

**Sawyer Park:** Ald. Hayes reviewed the park details. Discussion took place regarding Sawyer Park being very clean and needs to stay that way like it's new. Ald. Nault mentioned that the park was all paid for and maintained by the dock fees collected each season. Mr. Larsen stated that he doesn't feel that this park should have play equipment with all the boats coming and going. Ald. Bacon questioned if the pavilion could get air conditioning. Discussion continued about the possible options for air and / or heating the pavilion. Ald. Nault discussed the dock master's responsibilities to clean up water weeds, bathroom, fish cleaning tables and collecting the launching fees and the others things they help with around the park. He is concerned that we should have more dock masters and cover more hours throughout the season. Tournaments need regulations and supervision on how they set up in the park to not impede on the pavilion and the boat launch area and to only hold one per a weekend. There are a few trees that need to be cut down. Signage would be helpful for the different areas: prep area, tie down area, fish cleaning tables & thank you as you leave. Mr. Morrow has concerns over people crossing the street by the bridge, since they fish around there, maybe we could add more flashing lights at the crosswalk area to make drivers coming off the bridge more aware of the crosswalk area. Mr. Renstrom, asked about the bait & ice machine and what came of the machines and if they are getting used. Ald. Nault mentioned that the ice machine is out of sight and it doesn't give a receipt. Also, that the bait machine never showed up. Mr. Barker is going to reach out to them about both the bait & ice machines.

**Nautical Drive:** Ald. Hayes reviewed the details of the area. Ald. Nault stated that there is no longer a lease agreement with the Sturgeon Bay Yacht Club / Marine Center, the launch is in bad shape and there is an underwater hazard just off the ramp that should be marked. It was stated the Swan owners do have a lease and they have been keeping the area cleaned up, but the sidewalk needs repair or replacement. Ald. Hayes questioned if this was a good property to sell. Discussion continued regarding the usage, upkeep and lease agreements. Mr. Barker was going to check into the lease agreements.

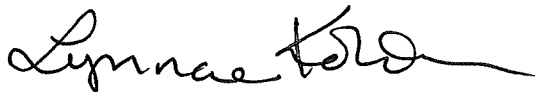
**Directors Report:** Mr. Barker stated that the tree planting is finished at Sunset Park and the paperwork for the grant was submitted. The swim buoy permit has been submitted. Seasonal workers are finished for the season. Mr. Morrow questioned why the iconic tree at Martin Park was removed. Mr. Barker stated due to safety, the tree had to be removed. Mr. Morrow was surprised with how many people noticed that the tree was removed and suggested maybe posting something when removing such an iconic tree.

**Future Agenda Items:** Update on Big Hill. Ald. Hayes will invite the Bike Group back for an update. Ask SBVC back to review the Way Finder Project for the parks. The Presentation / Update on Graham Park. Invite the Boys & Girls Club for information on STEM. Next Park Assessments: Shiloh Dog Park, Skate Park & West Waterfront. Ald. Hayes will invite someone from the West Waterfront Committee.

**Next Meeting date: Wednesday, October 23, 2019 @ 5:30 PM – City Hall**

Motion to adjourn by Ald. Nault, seconded by Mr. Renstrom. All in favor. Carried  
Meeting adjourned at 9:15 pm

Respectfully submitted,



Lynnae Kolden  
Municipal Services Secretary

PERSONNEL COMMITTEE  
September 30, 2019

A meeting of the Personnel Committee was called to order by Chairperson Williams at 3:45 p.m. in the second floor conference room. Roll call: Members Williams and Avenson were present. Also present were: City Administrator VanLieshout, Fire Chief Dietman, Brent Wiegand, and City Clerk/HR Director Reinhardt. Ald. Bacon entered at 3:48 p.m.

Avenson/Williams to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Consideration of: Approval of Side Letter Agreement with Sturgeon Bay Firefighters Local Association Local 2682, IAFF, AFL-CIO-CLC re: Modification of language in current collective bargaining agreement for Seniority section sub-C. Selection.
4. Adjourn

Carried.

A Side Letter between the Firefighters Union and the City was presented. The side letter addressed contractual language for the promotion of lieutenants. By changing the qualifying amounts and adding operational testing for the lieutenant's position, it could mean that the skill level of the position is raised. The proposed side letter language would change the point system to 30 points for written exam, 30 points for operational assessment, 30 points for oral interview and seniority for 10 points. There are no issues from the union perspective.

Avenson/Bacon to approve the Side Letter Agreement between the City of Sturgeon Bay and Sturgeon Bay Firefighters Local Association Local 2682, IAFF, AFL-CIO-CLC. Carried.

Avenson/Bacon to adjourn. Carried. The meeting adjourned at 3:2 p.m.

Respectfully submitted,



Stephanie L. Reinhardt  
City Clerk/Human Resources Director



Committee of the Whole  
September 30, 2019

A meeting of the Committee of the Whole was called to order at 4:00 p.m. by Mayor Ward. Roll call: Ward, Bacon, Williams, Avenson, Nault, Wiederanders and Reeths were present. Hayes was excused. Staff present: City Administrator VanLieshout, Finance Director/City Treasurer Clarizio, City Clerk/Human Resource Director Reinhardt, Community Development Director Olejniczak, Municipal Services Superintendent Barker, City Engineer Shefchik, Fire Chief Dietman, Assistant Fire Chief Montevideo, Police Chief Porter, Police Captain Brinkman, and Lieutenant/Investigator Henry. Also present: Sturgeon Bay Utilities General Manager Stawicki, members of the public and Deputy Clerk/Treasurer Spittlemeister.

Williams/Nault to adopt agenda.

1. Call to order.
2. Roll call.
3. Adoption of agenda.
4. Consideration of: 2020 Budget.
5. Adjourn.

Carried.

City Administrator VanLieshout gave a power point presentation on the 2020 budget. Budget principles were reviewed. An overview of Revenue, Operating and Capital budgets for 2020 were discussed. Taxes and intergovernmental revenues generate the largest source of revenue for the City. For the 2020 Operating Budget, personnel expenditures comprises 73%, commodities hold 5% of expenses while contractual is 22% of the expenses. The largest capital improvement for 2020 continues to be the restoration project for Bradley Lake with the budgeted amount of \$1,000,000. Other larger improvements in the Capital Budget are street resurfacing, curb & sidewalk, street maintenance, dump truck, vehicles, wayfinding signs and lighting for the Skate Park.

Staff members were able to address questions and concerns that were brought forward from Council members. Items included West Side baseball field, personnel costs and staffing positions, road projects and funding.

Williams/Bacon to adjourn. Carried. Meeting adjourned at 5:33 p.m.

Respectfully submitted,



Laurie Spittlemeister  
Deputy Clerk/Treasurer

**CITY PLAN COMMISSION**  
Monday, September 30, 2019

A meeting of the City Plan Commission was called to order at 6:03 p.m. by Chairperson David Ward in the Council Chambers, City Hall, 421 Michigan Street.

**Roll Call:** Members Kirsten Reeths, Mark Holey, Dennis Statz, David Ward, and Jeff Norland were present. Excused: Members David Hayes and Debbie Kiedrowski. Also present were Alderpersons Seth Wiederanders, Kelly Avenson, Gary Nault, Dan Williams, and Helen Bacon, City Administrator Josh Van Lieshout, Community Development Director Marty Olejniczak, Planner/Zoning Administrator Chris Sullivan-Robinson, Community Development Secretary Cheryl Nault, and several members of the public.

**Adoption of agenda:** Moved by Mr. Holey, seconded by Mr. Statz to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from August 21, 2019.
4. Combined Preliminary/Final Planned Unit Development (PUD) for Northpointe Development to develop 40 housing units, including converting the former West Side School, located at 17 W. Pine Street and a new addition extending into the West Side Field property, located at 37 W. Redwood Street.  
Presentation:  
Public Hearing:  
Consideration of:
5. Consideration of: Zoning Code sec. 20.31(4)(b) – Surfacing of parking lots.
6. Public comment on non-agenda Plan Commission related items.
7. Adjourn.

Carried.

**Approval of minutes from August 21, 2019:** Moved by Ms. Reeths, seconded by Mr. Norland to approve the minutes from August 21, 2019. All ayes. Carried.

**Combined Preliminary/Final Planned Unit Development (PUD) for Northpointe Development to develop 40 housing units, including converting the former West Side School, located at 17 W. Pine Street and a new addition extending into the West Side Field property, located at 37 W. Redwood Street:**

**Presentation:** Northpointe Development representative Andy Dumke stated that their goal is to build and develop affordable workforce housing. The last few years they have been doing a lot of historical rehabs. They are proposing a 40 unit project with 24 two-bedroom units, 11 three-bedroom units, and 5 one-bedroom units all with washers/dryers. There will be a community room in the development for everyone to use, as well as a fitness facility. Incubator space will be available in the school. The intention is to use historical tax credits to redevelop the school and bring it back to looking original. The flooring and chalkboards must be retained.

Mr. Norland asked what the intent was for the incubator space. Mr. Dumke responded that it could be used by the tenants themselves if someone had an in-home business, or as a community-minded space. There is not a set use for it at this time. It would not be income producing for them. It would be open to the public to use.

Ms. Reeths asked about market rate vs. income-based apartments. Mr. Dumke responded that when this was first proposed it was all surface parking and had now make some significant changes to the project that has increased their cost. In their performa, they do need the tax credits to make the project viable. It now works best for the development to make the apartments all affordable. Underground parking was added to plan to make more land available so a phase 2 could be done that would include another 30-40 senior housing units for ages 55 and older. Costs were also increased by stubbing in utilities for that phase.

Mr. Dumke explained that rents will be based on income and will range from 30% - 60% of the County Median Income (CMI). At 50% of CMI, a three bedroom apartment would be \$750 per month, a two bedroom would be \$660.00, and a one bedroom would be \$565.00. There will also be apartments set aside for veterans.

Mr. Olejniczak stated that there was a conceptual planned unit development review at a previous meeting. Since that time, the project has been refined. Some of the changes included all units being affordable units using section 42 tax credits. The addition to the building is now modified to be "L" shaped instead of coming straight south. This would create space for a potential phase 2. Another change is creating an access off of Madison Avenue that would lead to underground parking. The access to the alley has been eliminated. A patio has been added. He also stressed that the project is dependent on the developer receiving the section 42 tax credits. It is an annual process through WHEDA. Applications are due in December and will not find out until April if the credits are awarded. The City is looking into replacing the softball field. The City should have some design concepts in the near future.

Mr. Sullivan-Robinson summarized the main points of the staff report and recommended approval of the PUD, with the following conditions:

1. Installation of a water lateral stub running south from Redwood Street along the west edge of the property and creation of a 15-ft utility easement.
2. Installation of a sanitary lateral stub running south from the end of the main at the southeast corner of the site and creation of a 15-ft utility easement.
3. Relocation of the proposed fire hydrant out of the parking island and into the end of the W. Redwood Street right-of-way.
4. Providing easements for any portion of public water main or sanitary sewer main located outside of the public right-of-way.
5. Compliance with the street tree requirements of s. 8.07(10) of the municipal code, but the location of required street trees may be located outside of the street right-of-way, if approved by the City Forester.
6. Adjusting the location of the monument sign to comply with the vision clearance requirement of the sign code.
7. Approval by the Aesthetic Design and Site Plan Review Board.
8. Final approval of the stormwater management plan by the City Engineer.
9. A development agreement being entered into between the City and developer that addresses the sale of the property, utilities/easement issues, maintenance of the driveway within Redwood Street, and other matters pertinent to the development project.

There is an expected property value of approximately \$2.5 million, which would generate approximately \$22,000 in annual City property tax revenue.

**Public Hearing:** Chairperson Ward opened the public hearing at 6:36 pm.

Virge Temme, 9098 Lime Kiln Rd., stated that she is an architect with emphasis on sustainability. Affordable and sustainable housing is needed.

Carl Bridenhagen, 1028 W Maple St., stated that he is the head of the Aloha Softball Tournament. He started an on-line petition that had over 800 signatures for saving the ballfield. The field has been part of the community for over 75 years. The field was built through dedication of volunteers in this community, not the City. The bleachers were built with private donations. The scoreboard, booth, coolers, shed, popcorn popper, water heater, sound system, etc. were obtained by the Aloha Softball Committee and supporters. The only thing the City owns is the shell of the building and the ground. In the last 4 years, the Aloha Tournament and the league had given back over \$300,000 to the community through charities. Several other groups use the field, such as the YMCA T-ball league, the church, and even the Coast Guard has used it for a tournament. The PBI field has drainage issues. They plan on expanding to playing two nights a week next year. Adult softball will die if they lose the field. He believes in having West Side School renovated. The City should not rush into the development just to get something done.

Chris Kellems, 120 Alabama St., said she supports the project. There is a lot of empty green space on the front side of the school that should be developed into patio/recreational space. She would also like to see an electric vehicle charging station. There is also potential for solar. They could include an awning type feature.

Richard Soukup, 819 N 4<sup>th</sup> Ave., supports retaining the West Side Field. In the housing study that was recently completed, it states that there are approximately 1040 rental units and 26 multi-family apartment buildings in Door County. After speaking with Door County Economic Development Executive Director Jim Schuessler, anything smaller than a 16 unit was not included in the study. He drove around and counted the apartment complexes that were 8 or more units. Currently, there are 885 apartments built or currently being built. There are also 4-unit buildings that contain 133 apartments. He felt that there should have been a more comprehensive study done. The proposed building does not fit our community. By giving away or selling the West Side Field the City would be giving away the leisure and recreational opportunities of the citizens.

Bryan Wodack, 5907 Cedar Creek Pl., supports the West Side Field. He asked several questions and offered comments, such as:

What is the value of the field?

How much will the developer pay for it?

Why all the changes with rent going up and down?

Will this hurt existing apartments?

The field was built through donations.

Is this really low income housing?

Are the owners of the school and the developer related in any way?

Will the design change over time?

What is the incubator space?

Veterans are included?

The City should have learned their lesson with the granary.

He asked for a referendum.

What condition is the building in? It was built with tarriseo floors and railings. The building will not fall down.

He would like a study or walk-through of the building.

The rules keep changing.

What will be done with the field when told it will be equal to or better?

Scott Moore, 947 Pennsylvania St., stated that there is nothing available for replacement of that field. There has to be a field on the West Side. There is a lot of vacant land to the north and west of the school that would not infringe on the historic field. We can use more affordable housing.

Tom Strong, 5033 Shady Lane, Egg Harbor, said he supports the project.

Erich Pfeifer, 608 E Walnut Pl, is the president and CEO of Marine Travelift. They need a skilled workforce base, attainable and quality housing. That is needed to become competitive. The City should be welcoming developers.

Joy Sequoia, 59 W Pine St., is the next door neighbor to the proposed development. She stated that she has so many objections. The addition should match the school. She enjoys watching the baseball field. Her house is on the alley and the backyard abuts the parking lot. She wondered what would happen with garbage pick-up and snow plowing if the alley is closed off. She added that she is not looking forward to 80-90 cars going by every day.

Sarah Evenson, 403 W Pine St., stated that change is most of the time unwelcomed and heartbreaking. This is smart development. Building something new with what was. The project will bring new life.

Pat Blizel, 69 W Pine St., said that this is the West Side recreational area. That is why the skate park is there, sledding, etc. He can support the development, but this is not the right place. There is no other space available. He wondered what will happen to the value of his house. This area is not just for baseball.

Richard Price, 46 S Madison Ave., supports the West Side Field. He likes the idea of restoring the school, but the development is not the right location.

Mr. Olejniczak responded to a question of Ms. Sequoia regarding the alley. Some pavement would need to be left for the garage. The alley itself will stay. The development would not connect to the alley.

Kelsey Fox, 2462 Canal Lane, stated that the City needs to think about the future. We need a sustainable workforce and community.

Kelly Avenson, 46 E Pine St., thought it would help to explain how a PUD works. There are a lot of apartments, but they are not truly affordable with wages people are being paid.

Carla Mickey, 9 E Redwood St., didn't feel that this is what we want to present to the people coming into Sturgeon Bay. Why not use the Krueger Implement property on Egg Harbor Rd.?

Ms. Nault read five letters of correspondence in regard to the development as follows:

Jerry Worrick, 5122 Bay Shore Dr., offered his support for the proposed housing project.

Jim Schuessler, Executive Director of DCEDC, offered full support for the Planned Unit Development. The letter discussed the Door County Housing Analysis; an inventory of available rentals/rates, compared to HUD's Fair Market Rent; the long-term population trend; the number of ALICE (Asset Limited, Income Restrained, Employed) citizens; and news articles concerning the Millennials.



Dave Schanock, had written to say that Sturgeon Bay needs additional housing. He is in favor of the West Side development.

Deborah Rosenthal, 52 W Pine St., had several concerns such as the small size of the apartments; the development will dramatically change the density of the neighborhood; the massive building is out of scale for residences; and the building would be an overlarge, unwelcome presence.

Ken Mac Donald, Cedar Creek Carpets, did not like the look of the development as you enter Sturgeon Bay. Tax money is paying for the destruction of a property we are trying to protect.

Paul Englebert, 9 E Redwood St., spoke after the written correspondence was read and thought that the Bay Lofts was proposed as affordable housing.

The public hearing was declared closed at 7:44 pm.

**Consideration of:** Chairperson Ward explained that the Commission has the ability to decide to act on this PUD with a unanimous vote. He expressed his view and objected to any vote at this meeting. A lot of information was presented and there are questions to be answered. Also, two commissioners were absent. The consideration will occur on October 16<sup>th</sup>.

Mr. Olejniczak clarified that a unanimous vote was not needed to make a recommendation to Council to approve the project or deny it. A unanimous vote is needed to act on the item at this meeting.

No action was taken.

**Consideration of: Zoning Code sec. 20.31(4)(b) – Surfacing of parking lots:** Mr. Sullivan-Robinson stated that at the last Plan Commission meeting staff was directed to prepare a new ordinance that combined several of the options that were presented at that meeting, such as allowing bricks, pavers and other permeable pavements in addition to concrete and asphalt; stipulating a minimum 4,000 pound wheel load capacity; and create a subsection to include an exemption for seasonal uses and privately used commercial storage areas.

After a short discussion, it was moved by Mr. Norland, seconded by Mr. Statz to recommend to Council to repeal and recreate section 20.31(4)(b) – Surfacing of parking lots, as presented. All ayes. Carried.

**Public comment on non-agenda Plan Commission related items:** Scott Moore, 947 Pennsylvania Street, stated that he did not want the Plan Commission to encourage buying houses to take off rental property or houses to own. Housing units should stay housing units.

**Adjourn:** Moved by Mr. Norland, seconded by Mr. Statz to adjourn. All ayes. Carried. Meeting adjourned at 7:08 p.m.

Respectfully Submitted,



Cheryl Nault  
Community Development Secretary

**FINANCE/PURCHASING & BUILDING COMMITTEE**  
**October 1, 2019**

A meeting of the Finance/Purchasing & Building Committee was called to order at 6:45 pm by Chairperson Bacon in the Council Chambers, City Hall. Roll call: Alderpersons Bacon, Wiederanders and Williams were present. Also present: Mayor Ward, Alderpersons Avenson, Nault and Reeths, City Treasurer/Finance Director Clarizio and Deputy Clerk/Treasurer Spittlemeister.

A motion was made by Alderperson Williams, seconded by Alderperson Wiederanders to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Public comment on agenda items and other issues related to finance & purchasing.
4. Review bills.
5. Adjourn.

Carried.

No one spoke during public comment on agenda items and other issues related to finance & purchasing.

Review bills

Moved by Alderperson Williams, seconded by Alderperson Wiederanders to approve the bills as presented and forward to the Common Council for payment. Carried.

Moved by Alderperson Wiederanders, seconded by Alderperson Williams to adjourn. Carried. The meeting adjourned at 6:49 pm.

Respectfully submitted,



Laurie Spittlemeister  
Deputy Clerk/Treasurer

Committee of the Whole  
October 7, 2019

A meeting of the Committee of the Whole was called to order at 4:01 p.m. by Mayor Ward. Roll call: Ward, Bacon, Williams, Nault, Wiederanders and Reeths were present. Hayes and Avenson were excused. Staff present: City Administrator VanLieshout, Finance Director/City Treasurer Clarizio, City Clerk/Human Resource Director Reinhardt, Community Development Director Olejniczak, Municipal Services Superintendent Barker, City Engineer Shefchik, Fire Chief Dietman, Assistant Fire Chief Montevideo, Police Chief Porter, Police Captain Brinkman, and Lieutenant/Investigator Henry. Also present: Sturgeon Bay Utilities General Manager Stawicki, and Deputy Clerk/Treasurer Spittlemeister.

Williams/Bacon to adopt agenda.

1. Call to order.
2. Roll call.
3. Adoption of agenda.
4. Consideration of: 2020 Budget.
5. Adjourn.

Carried.

City Administrator VanLieshout explained that general obligation (GO) debt the City of Sturgeon Bay has is fully backed by city taxpayers. The current GO debt is at a much lower interest rate than it was just a few years ago.

The City needs to find other sources of revenue, but would rather not impose fees for fire calls, medical calls or every police stop. The City historically has done very well with receiving grant money. However, with most grants, they can only be applied for and used for a specific project. Other revenue options were discussed, including the City of Sturgeon Bay pursuing the Premier Area Resort Tax (PRAT). PRAT could be used to fund street replacement and maintenance.

Seasonal wages and health care options were discussed.

Bacon/Wiederanders to recommend to Common Council to approve the 2020 Capital and Operating budget as presented. Carried.

Nault/Williams to adjourn. Carried. Meeting adjourned at 5:20 p.m.

Respectfully submitted,



Laurie Spittlemeister  
Deputy Clerk/Treasurer



CITY OF STURGEON BAY  
INSPECTION DEPARTMENT

September 30, 2019

THE FOLLOWING IS THE MONTHLY SUMMARY OF THE ACTIVITIES OF THE INSPECTION DEPARTMENT FOR THE MONTH OF SEPTEMBER 2019

September-19	YEAR TO DATE		September-19	YEAR TO DATE
2	7	ONE FAMILY DWELLINGS	424,900	1,420,000
1	2	TWO FAMILY DWELLINGS	263,000	527,250
0	3	MULTIPLE FAMILY DWELLINGS	--	1,529,000
1	3	MANUFACTURED HOME	55,000	148,200
0	0	C.B.R.F.	--	--
2	5	RESIDENTIAL ADDITIONS	62,312	151,312
1	35	RESIDENTIAL ALTERATIONS	10,000	516,855
1	12	RESIDENTIAL GARAGES/CARPORTS	12,000	245,202
1	2	RESIDENTIAL GARAGE ADDITIONS & ALTERATIONS	1,000	3,000
2	10	RESIDENTIAL STORAGE BUILDINGS	8,200	65,000
0	0	RESIDENTIAL SWIMMING POOLS	--	--
0	0	NON-RESIDENTIAL SWIMMING POOLS	--	--
0	0	NEW COMMERCIAL BUILDINGS	--	--
0	5	NON-RESIDENTIAL GARAGES & STORAGE BUILDINGS	--	606,780
0	0	NON-RESIDENTIAL ADDITIONS	--	--
2	33	NON-RESIDENTIAL ALTERATIONS	51,500	3,035,017
0	0	MUNICIPAL BUILDINGS	--	--
0	0	WAREHOUSES	--	--
0	0	FACTORY & SHOP	--	--
0	0	COMMUNICATION TOWER	--	--
0	0	SUBSTATION	--	--
0	0	AGRICULTURAL BUILDINGS	--	--
13	117	<b>TOTAL ESTIMATED COST OF CONSTRUCTION</b>	<b>\$887,912</b>	<b>\$8,247,616</b>
September-19	YEAR TO DATE	TOTAL PERMITS ISSUED	September-19	YEAR TO DATE
13	117	BUILDING PERMITS	2,623	26,526
14	121	ELECTRICAL PERMITS	1,366	15,941
5	51	PLUMBING PERMITS	798	6,648
4	51	HEATING PERMITS	754	12,906
4	124	SIGN PERMITS	160	4,200
2	8	MISCELLANEOUS PERMITS	125	500
0	0	SUMP PUMP PERMITS	--	--
0	0	ELECTRICIAN LICENSES	--	--
0	0	EARLY STARTS	--	--
3	8	EROSION CONTROL	300	775
0	0	STATE PLAN APPROVALS	--	--
4	24	PARK & PLAYGROUND PAYMENTS	1,200	7,200
4	11	WISCONSIN PERMIT SEALS	140	385
0	5	ZONING BOARD OF APPEALS APPLICATIONS	--	1,500
1	2	ZONING CHANGES/P.U.D. APPLICATIONS	--	427
0	1	PLAN COMMISSION - CONDITIONAL USES	--	300
0	1	CERTIFIED SURVEY MAP REVIEWS	--	140
0	0	SUBDIVISION PLATTING REVIEW	--	--
0	0	MISCELLANEOUS REVENUE	--	--
0	0	(COPIES, POSTAGE, SALE OF MAPS, ETC.)	--	--
0	0	RESIDENTIAL BUILDINGS MOVED	--	--
0	0	NON-RESIDENTIAL BUILDINGS MOVED	--	--
0	0	CHANGE OF USE	--	--
0	1	RESIDENTIAL OCCUPANCY FEES	--	75
0	31	COMMERCIAL OCCUPANCY FEES	--	2,275
0	0	PIER PERMIT	--	--
0	4	DEMOLITION	--	100
1	15	PLAN REVIEW FEE	150	7,625
		ADMIN FEE	295	3,267
		<b>TOTAL RECEIPTS DEPOSITED WITH CITY TREASURER</b>	<b>\$7,911.00</b>	<b>\$90,790.00</b>

Cheryl Nault  
Building Inspection Dept.



# STURGEON BAY POLICE DEPARTMENT



*The mission of the Sturgeon Bay Police Department is to serve, protect, and work in partnership with the community to ensure a safe, nurturing environment.*

To: The Honorable Mayor  
Members of the Common Council  
Members of the Police and Fire Commission  
City Administrator Josh VanLieshout  
Officers of the Sturgeon Bay Police Department  
Media

From: Captain Daniel J. Brinkman

Subject: Monthly Report for September, 2019

Date: October 09, 2019

The following is a summary of the Police Department's activities for the month of September that includes crimes investigated, traffic accidents investigated, training completed, and public education provided by department members.

## Crimes Investigated

The Department, during the month, investigated a total of 57 crimes.

These crimes can be broken down and classified as follows.

Battery.....	03
Identity Theft.....	01
Disorderly Conduct.....	07
Possess Controlled Substance.....	07
Fraud / Forgery.....	06
Domestic Abuse.....	07
Theft.....	13
Criminal Damage to Property.....	04
Threats to Injure.....	01
ICAC.....	05
Violate Court Order.....	01
Child Abuse / Neglect.....	02
<b>TOTAL</b>	<b>57</b>

The above crimes resulted in the loss of \$971 to the community, of which \$617 has been recovered.

## Arrests

The Department completed a total of 129 arrests during the month. These arrests encompass violations from traffic to felony, and are listed below by type of violations and number of arrests for each category.

### A. Felony Crime Arrest

Bail Jumping.....	02
Possess Controlled Substances.....	03
Internet Crimes against Children.....	01
<b>TOTAL</b>	<b>06</b>

### B. Misdemeanor Crime Arrests

Disorderly Conduct.....	09
Battery.....	04
Bail Jump.....	02
Possess Controlled Substance.....	01
Possess Drug Paraphernalia.....	03
Resist / Obstruct Officer.....	01
Expose Child to Pornography.....	01
Criminal Damage to Property.....	01
Theft.....	01
<b>TOTAL</b>	<b>23</b>

Wisconsin Probation & Parole Arrests / Warrant Arrests .....	14
<b>TOTAL</b>	<b>14</b>

### C. Ordinance Violation Arrests

Possess Tobacco/Vaping Products by Minor.....	04
Possess Marijuana.....	02
Possess Drug Paraphernalia .....	01
Retail Theft.....	04
Trespass to Land .....	02
<b>TOTAL</b>	<b>13</b>

### D. Traffic Crime Arrests

Operate while Intoxicated 2 <sup>nd</sup> or More.....	03
Operate Motor Vehicle while Revoked.....	03
No Valid Driver's License.....	01
<b>TOTAL</b>	<b>07</b>

### E. Traffic Violation Arrests

Operate Motor Vehicle while Intoxicated.....	08
Speeding.....	26
Operate Motor Vehicle w/o Insurance.....	05
Operate Motor Vehicle while Suspended.....	02
Unregistered Vehicle.....	03
No Valid Driver's License.....	03
Seatbelt Violations.....	02
Miscellaneous Violations.....	17
<b>TOTAL</b>	<b>66</b>

In addition to the preceding arrests, the Department conducted a total of 228 traffic stops during the month and logged 64 violations for various motor vehicle defects and local ordinances and issued 51 written warnings for those violations. A total of 15 parking tickets were issued for parking violations throughout the city.

#### **Traffic Accidents**

The Department during the month investigated a total of 19 vehicle accidents. These accidents are categorized into four types.

A.	Motor Vehicle Accidents Involving Fatalities.....	00
B.	Motor Vehicle Accidents Involving Injuries .....	03
C.	Motor Vehicle Accidents Involving Property Damage .....	15
	(greater than \$1,000.00)	
D.	Motor Vehicle Accidents Involving Property Damage .....	01
	(less than \$1,000.00)	<b>TOTAL 19</b>

#### **Police Service Calls**

Department members handled 422 service calls during the month. These calls consist of both citizen requests for police service as described below (332), crimes investigated (57), traffic accidents investigated (19), and Wisconsin Probation and Parole Assists (14).

A.	Traffic and Road Incidents .....	85
	This category consists of all assignments involving assists to stranded motorists, directing traffic, complaints of noisy or otherwise disorderly vehicles, removing obstructions from roadways, and all parking problem complaints.	
B.	Noise Complaints .....	07
	These complaints involve private parties, licensed liquor establishments, and parties in public places.	
C.	Sick and Injured Persons .....	23
	Assistance rendered to the Ambulance Service and sick or injured persons.	
D.	Alarms .....	23
	Officers responded to activated burglar and hold-up alarms at area banks and other business establishments and residences as well as fire alarms.	
E.	Complaints Involving Animals .....	18
	Investigations by officers of noisy animals, loose animals, animal bites, wild animals and sick, injured or dead animal complaints.	
F.	Civil Disputes .....	01
	Arguments between neighbors, landlords and tenants, and family members where no crimes have been committed.	

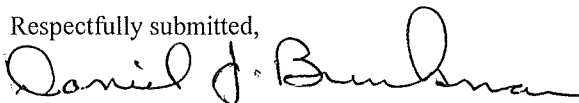
G. Escorts .....	05
Transporting citizens, money escorts for area financial institutions, funerals, and for area industry and farming.	
H. Citizen Assist.....	26
This category is broad and involves such services as assistance in gas drive-off, emergency notifications, attempts to locate people, retrieval of personal property, and vehicle registration assistance.	
I. Assistance Rendered to Other Agencies .....	07
Includes assistance to other law enforcement and government agencies.	
J. Suspicious Person / Vehicle / Circumstance.....	22
Involves both citizen complaints and observations by officers on patrol who took investigative action in regard to the suspicious behavior of vehicles and people.	
K. Self-Initiated Field Activity .....	06
All initiated activity by the officer to include, but not limited to, routine security checks of area industries, businesses, city parks, residences, and compliance checks of local liquor establishments.	
L. Juvenile Problems.....	10
Requests for police service that strictly involve property calls and all unfounded calls for police service. The calls vary from mischief to family problems to runaway situations.	
M. Miscellaneous Incidents .....	85
Includes arrest warrants served, recovered property calls, and all unfounded calls for police service. This category includes 9-1-1 calls investigated by Department members during the month.	
N. Welfare Checks .....	14
Includes calls to check on the well-being of a person who has not been heard from or seen for a period of time by family, friends, neighbors, or employers.	

**TOTAL 332**

#### **Department Training**

The joint dive team and SWAT conducted their monthly training session. Officers completed their state mandated Emergency Vehicle Operations training, three officers attended an 8 hour course on current drug trends and identifiers, three officers completed their biannual Intoximeter recertification and one officer attended a 16 hour course as part of the Sexual Assault Response Team.

Respectfully submitted,



Captain Daniel J. Brinkman

**RECOMMENDATION****TO THE HONORABLE MAYOR AND COMMON COUNCIL:**

We, the Finance/Purchasing & Building Committee, hereby recommend to approve the Intergovernmental Agreement between the City of Sturgeon Bay and the County of Door for the conveyance of real property for purposes related to affordable and attainable housing.

Respectfully submitted,

FINANCE/PURCHASING & BUILDING  
Helen Bacon, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: October 8, 2019

\*\*\*\*\*

Introduced by \_\_\_\_\_.

Moved by Alderperson \_\_\_\_\_ seconded by

Alderperson \_\_\_\_\_ that said recommendation be adopted.

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.



## County of Door LAND USE SERVICES DEPARTMENT

County Government Center  
421 Nebraska Street  
Sturgeon Bay, WI 54235

**Mariah Goode, Director**

Direct line: (920) 746-2224

Main office line: (920) 746-2323

FAX: (920) 746-2387

E-mail: [mgoode@co.door.wi.us](mailto:mgoode@co.door.wi.us)

Website: <http://map.co.door.wi.us/planning>

**September 18, 2019**

### MEMORANDUM

**TO:** City of Sturgeon Bay Finance Committee and City Council members  
**FROM:** Mariah Goode, Door County Land Use Services Director  
**RE:** Potential Disposition of Land for Affordable Housing:  
Parcel numbers 281-14-30001100, 1200, 1300, 3200, & 3800

As you are aware, over the past several months city and county staff and committees have been informally discussing the possible transfer of the above lots from the county to the city, and then from the city to an entity (such as the housing trust) for the ultimate purpose of development of affordable housing.

On September 16<sup>th</sup> and 17<sup>th</sup>, respectively, the Door County Finance and Administrative Committees unanimously approved recommending to the county board the transfer of the lots from the county to the city for no financial consideration. The county Resolution regarding this matter and the Intergovernmental Agreement, the execution of which would allow the property transfer to take place, will be considered by the county board on September 26<sup>th</sup>.

Both the Resolution and Intergovernmental Agreement are attached, as is a memorandum County Corporation Counsel Grant Thomas and I wrote to the county committees providing more detail and background on this proposal and process. Also provided are an overview of the housing trust and a map of the lots in question.

I look forward to answering any questions you may have at the meetings at which you will consider this proposal.

Thank you!



## DOOR COUNTY

### Resolution No. 2019-63

## Intergovernmental Agreement- Affordable & Attainable Housing

### TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
BULTMAN			
CHOMEAU			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GUNNLAUGSSON			
HALSTEAD			
KOCH			
KOHOUT			
LIENAU			
LUNDAHL			
NEINAS			
NORTON			
ROBILLARD			
<i>District 13</i>			
VIRLEE			
VLIES WOTACHEK			
WAIT			

### BOARD ACTION

Vote Required: Majority Vote of Total Membership

Motion to Approve Adopted ☐

1st \_\_\_\_\_ Defeated ☐

2nd \_\_\_\_\_

Yes: \_\_\_\_\_ No: \_\_\_\_\_ Exc: \_\_\_\_\_

Reviewed by:

\_\_\_\_\_, Corp. Counsel

Reviewed by:

\_\_\_\_\_, Administrator

**FISCAL IMPACT:** The fiscal impact is the loss of revenue from the sale of the 5 lots with the adoption of this resolution. STW

### Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 26th day of September, 2019 by the Door County Board of Supervisors.

Jill M. Lau  
County Clerk, Door County

1 **WHEREAS**, Rule No. 34 of the Rules of Order provides, in pertinent  
2 part, that "...no Committee of the County Board shall enter into any  
3 contract for a period in excess of three (3) years without prior approval of  
4 the County Board..."; and

5  
6 **WHEREAS**, The City of Sturgeon Bay ("City") and Door County  
7 ("County") may contract with each other for the joint exercise of any  
8 power or duty authorized by law; and

9  
10 **WHEREAS**, The provision of affordable and attainable housing is in  
11 the public interest, and is a public use and purpose for which public funds  
12 may be spent and property acquired or conveyed; and

13  
14 **WHEREAS**, The proposed Intergovernmental Agreement (attached  
15 hereto and incorporated herein by reference as if set forth in full)  
16 represents a collaborative and cooperative effort by the City and County  
17 to strive to meet the need for affordable and attainable housing.

18  
19 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County  
20 Board of Supervisors does hereby approve the proposed  
21 Intergovernmental Agreement.

22  
23 **BE IT FURTHER RESOLVED**, That the Land Use Services Director,  
24 subject to the oversight of the County Administrator, shall administer the  
25 Intergovernmental Agreement.

### SUBMITTED BY: ADMINISTRATIVE COMMITTEE

\_\_\_\_\_  
David Lienau, Chairman

\_\_\_\_\_  
Susan Kohout

\_\_\_\_\_  
Ken Fisher

\_\_\_\_\_  
John Neinas

\_\_\_\_\_  
Dan Austad

\_\_\_\_\_  
Nancy Robillard

\_\_\_\_\_  
Joel Gunnlaugsson



**INTERGOVERNMENTAL AGREEMENT**

**[Conveyance of Real Property for Purposes Related to Affordable & Attainable Housing]**

This Agreement is made this \_\_\_\_ day of \_\_\_\_\_, 2019 by and between Door County ("County"), and the City of Sturgeon Bay ("City"), each a public body corporate within the State of Wisconsin.

Whereas, the intergovernmental cooperation contemplated herein serves legitimate public purposes, including striving to meet the need for affordable and attainable housing; and

Whereas, this Agreement is deemed to benefit the parties and is consistent with their powers or duties under law.

**IT IS THEREFORE AGREED AS FOLLOWS:**

1. This is an intergovernmental Agreement consistent with, and a cooperative arrangement as allowed by, Section 66.0301, Wisconsin Statutes.
2. This Agreement shall become effective and binding when it is fully executed and delivered.
3. The provision of affordable and attainable housing is in the public interest, and is a public use and purpose for which public funds may be spent and property acquired or conveyed.
4. County acquired Door County PIN 281-14-30001100, 1200, 1300, 3200 & 3300 (hereafter "subject parcels") through foreclosure of tax liens by action in rem under Section 75.521, Wisconsin Statutes.
5. Pursuant to Section 59.52(6)(a) & (c), Wisconsin Statutes, the County Board may: take and hold land acquired under Chapter 75, Wisconsin Statutes; sell or convey (or contract to sell or convey) any County land (not donated and required to be held for special purpose); *and* may transfer County land to (among other entities) any municipality within the County for public use or purposes of any nature.
6. The subject parcels are deemed to be appropriate for purposes related to affordable and attainable housing.
7. County will transfer the subject parcels, via quit claim deed, to the City gratis. The County Clerk is hereby directed to execute the documents, after review and approval by County Corporation Counsel, necessary to facilitate this transfer.
8. City will ensure (through deed restrictions or other restrictive covenants that run with the land) that the subject parcels are used for purposes related to affordable and attainable housing in perpetuity. City will write, administer and enforce these deed restrictions or other restrictive covenants. These deed restrictions or other restrictive covenants shall provide that if the City fails to administer and enforce them, the County is empowered and may choose to do so.
9. This Agreement does not limit City's or a successor's ability to use creativity and expertise to come up with the most viable strategies to further the goal of meeting the need for affordable and attainable housing.
10. Each party is responsible to designate an employee or official ("contact person"), who is responsible for administration of this Agreement. The contact persons are as follows:

a. City of Sturgeon Bay:

Josh Van Lieshout, City Administrator  
Phone: 920-746-6905  
E-Mail: [jvanlieshout@sturgeonbaywi.org](mailto:jvanlieshout@sturgeonbaywi.org)

b. Door County:

Ken Pabich, County Administrator  
Phone: 920-746-2303  
E-Mail: [kpabich@co.door.wi.us](mailto:kpabich@co.door.wi.us)

Contact person may be changed upon prior written notice to the other party.

11. Any notices required or permitted hereunder shall be given in writing and shall be delivered (a) in person, with proof of service, (b) by certified mail, postage prepaid, return receipt requested, (c) by registered mail, postage prepaid, with evidence of safe delivery from the U.S. Postal Service or (d) by a commercial overnight courier that guarantees next day delivery and provides a receipt, and such notices shall be addressed as follows:

a. City:

City Administrator  
City Hall  
421 Michigan Street  
Sturgeon Bay, WI 54235

b. County:

County Administrator  
County Government Center  
421 Nebraska Street  
Sturgeon Bay, Wisconsin 54235

Any notice shall be effective upon delivery.

12. The waiver by a party of any breach or failure of the other party to perform any covenant or obligation contained in this Agreement shall not constitute a waiver of any subsequent breach.
13. If a dispute between any party hereto arises out of or relating to this Agreement, and cannot be settled through direct discussions, each party agrees to first endeavor to settle the dispute by alternative dispute resolution before recourse to a court.
14. If any covenant, condition, provision, or term of this Agreement is held to be invalid or unenforceable by a court of competent jurisdiction, the remaining covenants, conditions, provision, or terms of this Agreement shall not be affected thereby, but each covenant, condition, provision, or term of this Agreement shall be valid and in force to the fullest extent permitted by law.
15. Parties irrevocably submit themselves to the original jurisdiction of the Circuit Court, Door County, State of Wisconsin, with regard to any controversy arising out of, relating to, or in any way concerning this agreement.

16. This Agreement constitutes the entire agreement between the parties with respect to the subject matter of this Agreement. Any amendments, changes or modification of this agreement shall be effective only when made in writing and executed by the parties.

Accepted and agreed this \_\_\_\_ day of \_\_\_\_\_, 2019.

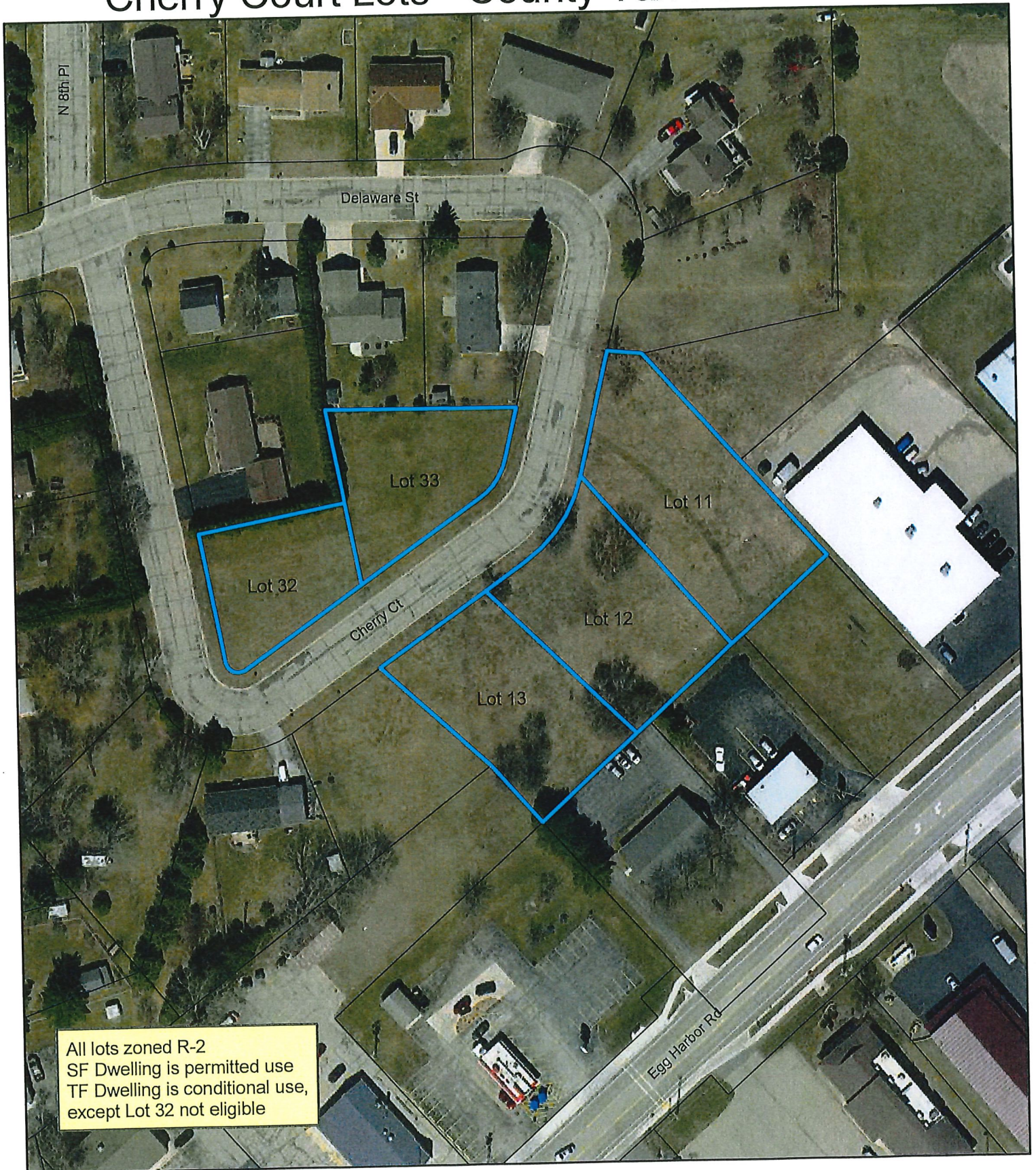
Accepted and agreed this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Ken Pabich  
Door County Administrator

\_\_\_\_\_  
David J. Ward, Mayor  
City of Sturgeon Bay



# Cherry Court Lots - County Tax Foreclosure







## **County of Door CORPORATION COUNSEL & LAND USE SERVICES**

County Government Center  
421 Nebraska Street  
Sturgeon Bay, WI 54235

**Grant Thomas, Corporation Counsel  
Mariah Goode, Land Use Services Director**

**September 16, 2019: Door County Finance Committee Meeting**

**September 17, 2019: Door County Administrative Committee Meeting**

### **Potential Disposition of Land for Affordable Housing Parcel numbers: 281-14-30001100, 1200, 1300, 3200, & 3300**

#### **Background & Question Posed**

The Door County Board of Supervisors in 2017 identified affordable housing, including year-round workforce housing, as one of its top priorities. The housing study completed in February 2019 for the Door County Economic Development Corporation, funded in large part by the County, showed significant need in the County for workforce housing. The study strongly suggested establishment of public-private partnerships to ensure such housing was developed, and in a way that it would remain affordable in perpetuity. Subsequent community-wide meetings held in April-May 2019 regarding the study results and housing issues generally, attended by over 250 people, indicated broad support for pro-active action of this sort.

The County acquired the parcels in question under § 75.521, Wis. Stats. Per § 59.52(6)(a) & (c), Wis. Stats., the County Board may take and hold land acquired under Ch. 75, Wis. Stats.; may direct the County Clerk to lease, sell or convey (or contract to sell or convey) any County land (not donated and required to be held for a special purpose) on terms that the County Board approves; and may transfer to (among other entities) County land to any municipality within the County for public uses or purposes of any nature. Affordable housing is a public purpose that rationally and reasonably justifies the contemplated action.

Whether or not to make these parcels available for affordable housing purposes is a public policy decision to be made by the County Board and its sub-units. It is the role of County Administrator and staff to carry out such policy decisions.

This week we are seeking county committee approval of the proposal and related Intergovernmental Agreement in order to move the matter forward to the County Board and City Council for final approval and enactment. A summary of the proposal and process is set forth below. We are prepared and happy to answer any questions you may have.

#### **Proposal**

This proposal is similar to what many other areas of the state and country do in order to support affordable housing development. The County would convey (for no or nominal consideration) the five lots to the City for the expressly stated public purpose of providing for affordable/workforce housing, such as via the Door County Housing Partnership ("Housing Trust") and partnering organizations. The City would then convey (for no or nominal consideration) the lots to an entity such as the Housing Trust, with the five lots to be ultimately developed so as to include at least five owner-occupied workforce housing units.

The Housing Trust and Habitat for Humanity have agreed to enter into a Memorandum of Understanding for the development of single-family homes on one or both of the lots on the

interior of the cul-de-sac. (One of the lots is zoned to allow for duplexes, so that one might be developed in that manner.) The regional housing non-profit organization NeighborWorks Green Bay is interested in partnering with the Housing Trust as the potential developer for the three side-by-side lots which back up against the Egg Harbor Road commercial properties. The hope is to develop townhomes on those lots if the properties are suitable for rezoning. Otherwise, a mix of duplexes (already allowed on all three lots) and/or single-family homes will be pursued.

### Process

March-April 2019: Informal meetings held between various combinations of County staff, the City Administrator, the City Community Development Director, the mayor, and the alderperson representing the area within which the lots are located to discuss the general concepts and potential process.

April 15, 2019: 5-1 vote by County Finance Committee to hold off on selling the lots until a more detailed plan could be developed and presented for committee consideration.

July 15, 2019: Unanimous vote by County Finance Committee approving both the proposed concept as outlined above and the conveyance of the lots to the city for no charge.

July 30, 2019: Unanimous vote by City Finance Committee approving the proposed concept.

August 20, 2019: Unanimous vote by City Council approving the proposed concept.

Should final approval be given by the County Finance and Administrative Committees, the next steps are:

- September 24, 2019: Final review/decision by City Finance Committee.
- September 26, 2019: Review/decision by County Board.
- October 1 or 15, 2019: Final review/decision by City Council.
- October-March 2020 anticipated activities (not necessarily in this order):
  - Housing Trust works to finalize Memorandum of Understanding with Habitat regarding affordable housing development on the two interior lots.
  - County and City staff and Housing Trust, with NeighborWorks Green Bay or another development partner, work to finalize development plans for the three side-by-side lots.
  - Conveyance of the five lots from the City to the Housing Trust via a Memorandum of Understanding outlining any terms and conditions of the City and of the County-to-City Intergovernmental Agreement.
- 2020-2021: Anticipated construction of affordable owner-occupied housing on the three side-by-side lots.
- 2021: Anticipated Habitat home constructed on one of the interior lots.
- 2022: Anticipated Habitat home constructed on the other of the interior lots.

Thank you for your time and consideration.

*ERT*  
09-11-2019  
*[Signature]*  
9/11/2019

## THE DOOR COUNTY HOUSING PARTNERSHIP, INC. (The Housing Trust)

A housing trust is a vehicle by which land, homes, and/or funds are accepted for the singular purpose of providing long-term affordable housing to year-round workforce residents.

Following a year of research, the Northern Door Interfaith Prosperity Coalition (IPC) discovered that communities around the state and country working with housing trusts were able to increase their inventories of affordable housing, and to maintain that inventory as affordable housing for long-term use by year-round workforce residents.

Trusts provide funds or land to provide housing according to the needs of the community, ensuring congruity with neighborhoods, use of sustainable building materials/processes, and opportunities for community involvement. Trusts develop criteria by which an applicant can qualify for housing, and/or financial assistance. Critical to the homeownership process, trusts provide formulas that allow for equity to accrue to the original buyer, but also methods whereby upon sale the home remains affordable to the next buyers. Keeping these homes in the affordable inventory for the long term is the most critical activity a trust performs.

A trust can be responsible for everything from building to maintenance to landlord oversight (in instances where the housing developed is used as rental housing), and can operate as a community advocate, research vehicle, educator, or fundraiser. Ultimately the trust's main purpose is always to ensure a stable supply of affordable housing according to community needs.

A non-profit housing trust called the Door County Housing Partnership, Inc. has been incorporated, and will be working closely with such entities as the Door County Economic Development Corporation, the Door County Land Use Services Department, local municipalities, developers, the IPC, private donors and others to make affordable housing a reality in Door County.

Any questions can be directed to any of the following Door County Housing Partnership Board members:

Diana Wallace: [diana2433@gmail.com](mailto:diana2433@gmail.com)  
James Honig: [sotpastor@gmail.com](mailto:sotpastor@gmail.com)  
Barb Sajna: [bsajna@frontier.com](mailto:bsajna@frontier.com)  
Steve Kase: [skase70@gmail.com](mailto:skase70@gmail.com)  
Mariah Goode: [mgoode@co.door.wi.us](mailto:mgoode@co.door.wi.us)  
Dick Skare: [dickskare@gmail.com](mailto:dickskare@gmail.com)  
Jerry Zaug: [jzaug@country-house.com](mailto:jzaug@country-house.com)



**CITY OF STURGEON BAY  
STREET CLOSURE APPLICATION**

Name of Applicant:

ANTHONY SCIMECA

Name of Event:

HVAC ROOFTOP REPLACEMENT

Contact Phone #:

X 815-404-7083

Date(s) of Event:

Week of Oct 21, 2019 Time: 10<sup>00</sup> AM - 2<sup>00</sup> PM

Estimated # of Attendees:

4

Specific Location:

224 MICHIGAN ST  
STURGEON BAY, WI 54235

- ☐ Attach map of requested street closure area including barricades location, tent/booth location, or any street obstruction. The map must be in final form.
- ☐ Attach Certificate of Insurance with the City listed as ADDITIONAL INSURED. Limits as follows: Commercial General Liability - \$1,000,000 each occurrence limit; Fire Damage Limit - \$50,000 any one fire; Medical Expense Limit - \$5,000 any one person; and Workers Compensation - As required by the State of Wisconsin.
- N/A Temporary Beer and/or Wine license has been applied for, approximately four weeks prior to the event date, by a qualified organization and fee paid. (If applicable.)
- N/A Hold Harmless Agreement has been signed of Officer(s) of Event/Organization.
- N/A Agreement for Reimbursement of Expenses has been signed by Officer(s) of Event/Organization.
- N/A If tents larger than 20 x 20 are used, must agree to contact the Fire Department for inspection, prior to event.

What arrangements are made for clean up?

ANTHONY SCIMECA WILL DO COMPLETE CLEAN-UP.

Other comments or explanation:

Signature of Responsible Party:

Anthony Scimeca

Address:

11 E. OAK ST STURGEON BAY, WI 54235

Date Submitted:

9/12/2019

(Street Closure applications may not be submitted/approved more than 90 days in advance of event date.)

Approval:

Fire Chief:

[Signature]

Date:

9-23-19

Police Chief:

[Signature]

Date:

9-23-19

Comm. Dev:

on. G.

Date:

9-25-19

Streets/Parks:

MSB

Date:

9-26-19

City Clerk:

[Signature]

Date:

10/1/19

Finance Dir:

[Signature]

Date:

10/1/19

City Engineer:

[Signature]

Date:

9-30-19

City Admin:

[Signature]

Date:

9/30/19

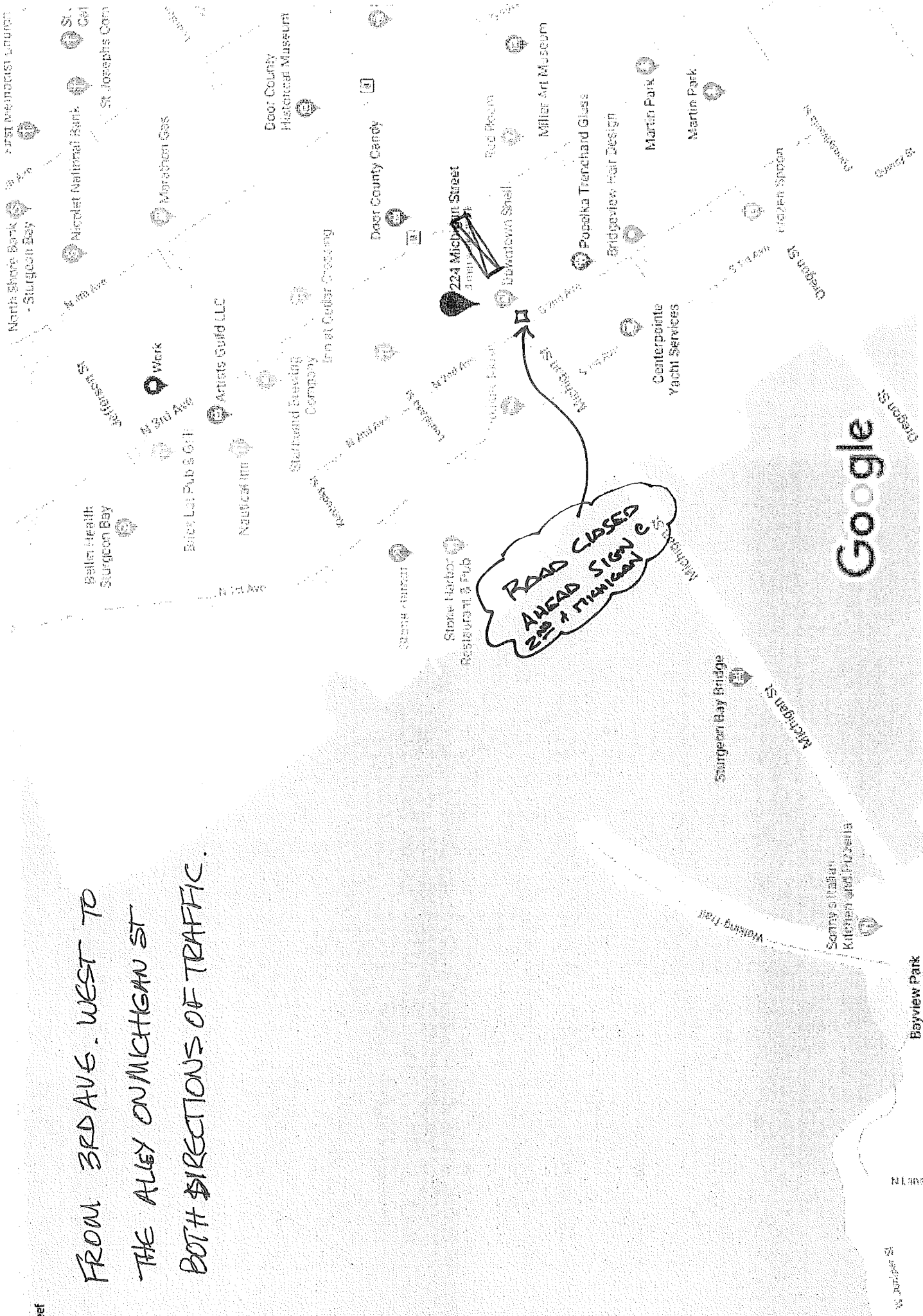
\* SEE MIN SIGN REQUIREMENT \*

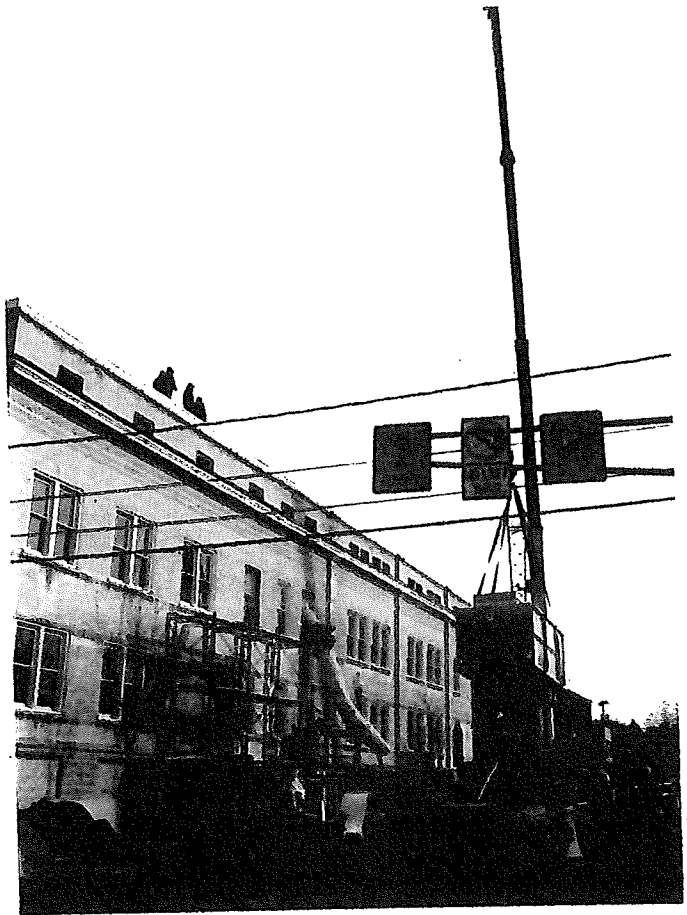
Common Council Approval Date:

- ☐ Copy of Approved Street Closure Application sent to EMS Director.



FROM 3RD AVE. WEST TO  
THE ALLEY ON MICHIGAN ST  
BOTH DIRECTIONS OF TRAFFIC.

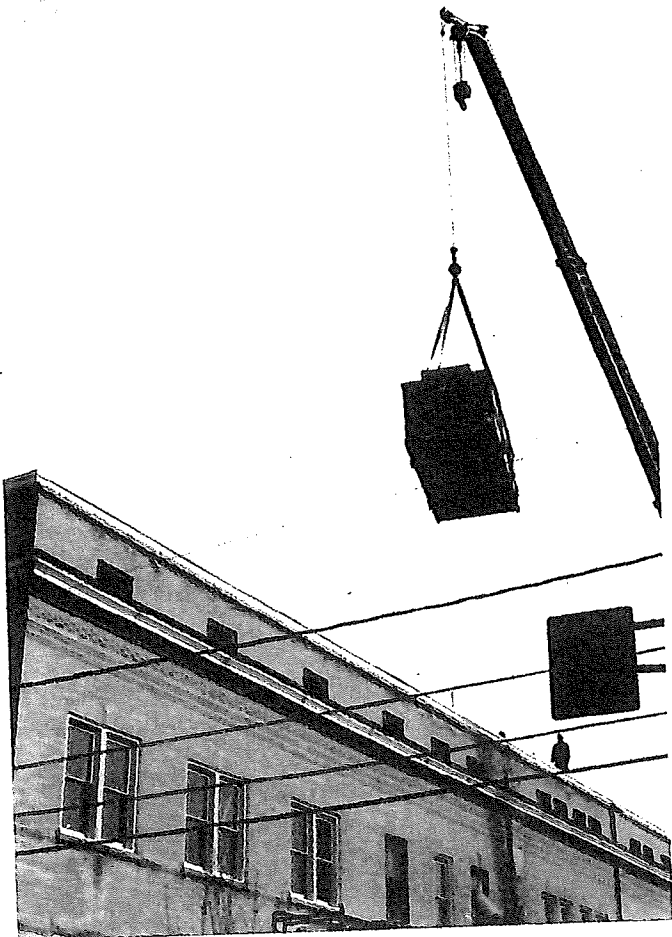




Fairfield Building built in 1906

In 1975 I was sharing rooms with Peter Diltz (now retired) & Clem Hadeen (developer) the building was badly in need of do-over. It came in 1998.

These photos taken 3/19/1998.



## RECOMMENDATION

### TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Joint Park & Recreation Committee/Board, hereby recommend to Council to Identify Cherry Blossom Park as a dog free park in accordance with ADA federal law for accommodations of disabilities.

Respectfully submitted,

Park & Recreation COMMITTEE / BOARD

By: Ald David Hayes Chr.

RESOLVED, that the foregoing recommendation be adopted.

Dated: September 25, 2019

\* \* \* \* \*

Moved by Alderperson \_\_\_\_\_, seconded by Alderperson \_\_\_\_\_ that the said recommendation be adopted.

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.



**Josh VanLieshout**  
City Administrator

Memorandum

To: Mayor Ward and the Common Council

From: Josh Van Lieshout, Administrator

Re: Development Agreement with Sturgeon Bay Historical Society; and  
Review of Ad Hoc West Waterfront Planning Committee Recommendations

Date: October 10, 2019

Previously the Common Council had asked for monthly updates on the progress of the implementation of the Development Agreement with Sturgeon Bay Historical Society. Below are milestones to date.

- The City contracted with Coleman Engineering to advance two soil borings at 100 East Maple Street in the approximate location of the elevator shown in adopted West Waterfront Plan Recommendations. The soil borings were completed on September 23, 2019 and the boring report submitted on October 8, 2019.

Report shows two foundation types are possible, shallow foundation (think your basement) which would require over excavation, dewatering, and special backfill or a deep foundation such as driven piles or a rammed aggregate displacement pile foundation  
(<http://www.groundimprovementeng.com/>)

The City is in the process of obtaining preliminary cost estimates to determine the financial feasibility of locating the former grain elevator in the location shown in the West Waterfront Planning Committee Recommendations as adopted by the Common Council.

- City Attorney Kalny and myself with Tom German, Bureau of Commissioners of Public Lands to discuss the process going forward for obtaining a lake bed/submerged lands lease from the state of Wisconsin. Determined that the Wisconsin Department of Natural Resources hasn't concluded that the proposed project is in conformance with statutes. Until determination is made BCPL cannot move forward. To move forward final scope of project and intended use is required from SBHSF. (See attached correspondence)
- City met with Smet Construction Services, contractor for SBHSF, reviewed knowns of the project, shared the approved development agreement.

Next steps for the City:

- Obtain final plan from SBHSF

- Complete lakebed lease for placement of the grain elevator

Likely next steps for SBHSF:

- Evaluate existing pilings at 92 East Maple Street
- Complete remediation plan for DNR and City review and approval
- Submit project buildings plans for approval to Finance Committee
- Submit project budget and financing for approval to the Finance Committee (City may wish to consider hiring an estimator to review project plans, specifications, and project budget to assist in evaluation of submittals)

With respect to Review of Ad Hoc West Waterfront Planning Committee Recommendations:

- Preliminary cost estimates have been obtained from Cedar Corp.

Next Steps for the City:

- Coordinate with Baird to develop financial proformas utilizing unspent note proceeds to finance public improvements.
- Define process for public engagement in detailed planning of waterfront walkway
- Work with City's consulting engineer to determine most efficient order of improvements and coordinate final design, engineering, bidding and construction phase services
- Amend Stewardship Grant to reflect revised waterfront plans



## VanLieshout, Josh

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**From:** VanLieshout, Josh  
**Sent:** Wednesday, October 02, 2019 4:09 PM  
**To:** Olejniczak, Marty  
**Subject:** FW: Next steps in submerged land lease negotiations.  
**Attachments:** image001.jpg

---

**From:** Kalny, James M. <jkalny@dkattorneys.com>  
**Sent:** Wednesday, October 02, 2019 3:38 PM  
**To:** VanLieshout, Josh <jvanlieshout@sturgeonbaywi.org>  
**Subject:** Fwd: Next steps in submerged land lease negotiations.

FYI— looks like the use of Lot 100 is a no go!

James M Kalny

Begin forwarded message:

**From:** "Kowalkowski, Michael J - DNR" <[Michael.Kowalkowski@wisconsin.gov](mailto:Michael.Kowalkowski@wisconsin.gov)>  
**Date:** October 2, 2019 at 3:28:27 PM CDT  
**To:** "Peranteau, Mary Beth" <[MPeranteau@wheelerlaw.com](mailto:MPeranteau@wheelerlaw.com)>, James Kalny <[jkalny@dkattorneys.com](mailto:jkalny@dkattorneys.com)>, "German, Tom - BCPL" <[Tom.German@wisconsin.gov](mailto:Tom.German@wisconsin.gov)>  
**Subject:** RE: Next steps in submerged land lease negotiations.

All,

I have availability Friday 11:00-1:30, Monday 3:00-4:30, and Tuesday 9:00-10:30. If there is not a mutually free time for all on those days, I have decent availability Thursday 10/10 and Friday 10/11.

Regards,

**We are committed to service excellence.**

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

**Michael J. Kowalkowski**

Phone: (608) 266-7542

[Michael.Kowalkowski@wisconsin.gov](mailto:Michael.Kowalkowski@wisconsin.gov)

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**From:** Peranteau, Mary Beth <[MPeranteau@wheelerlaw.com](mailto:MPeranteau@wheelerlaw.com)>  
**Sent:** Wednesday, October 2, 2019 3:08 PM  
**To:** James Kalny <[jkalny@dkattorneys.com](mailto:jkalny@dkattorneys.com)>; Kowalkowski, Michael J - DNR  
<[Michael.Kowalkowski@wisconsin.gov](mailto:Michael.Kowalkowski@wisconsin.gov)>; German, Tom - BCPL <[Tom.German@wisconsin.gov](mailto:Tom.German@wisconsin.gov)>  
**Subject:** RE: Next steps in submerged land lease negotiations.

Gents,

I spoke with Jim Kalny early in the week and we agreed that it would be a good idea to have a conference call among the four of us to make sure we are all of the same understanding concerning the use of the granary. My clients obviously have an interest in finalizing this piece of the lease before consideration of other uses for the west waterfront including Lot 100. I'm generally available on Friday and have good availability next week Monday or Tuesday as well. Please let me know whether you are available and I'll coordinate a conference bridge.

Thank you,

Mary Beth



**Mary Beth Peranteau**

Attorney At Law

Wheeler, Van Sickle & Anderson, S.C.

44 East Mifflin Street | Suite 1000 | Madison, WI 53703

[wheelerlaw.com](http://wheelerlaw.com)

firm 608.255.7277 | direct 608.441.3832

[mperanteau@wheelerlaw.com](mailto:mperanteau@wheelerlaw.com)

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INBOX AND TRASH FOLDERS. THANK YOU.

**From:** Kalny, James M. <[jkalny@dkattorneys.com](mailto:jkalny@dkattorneys.com)>  
**Sent:** Tuesday, September 24, 2019 2:54 PM  
**To:** Tom German ([tom.german@wi.gov](mailto:tom.german@wi.gov)) <[tom.german@wi.gov](mailto:tom.german@wi.gov)>  
**Cc:** Kowalkowski, Michael J - DNR <[Michael.Kowalkowski@wisconsin.gov](mailto:Michael.Kowalkowski@wisconsin.gov)>; Peranteau, Mary Beth  
<[MPeranteau@wheelerlaw.com](mailto:MPeranteau@wheelerlaw.com)>; VanLieshout, Josh ([jvanlieshout@sturgeonbaywi.org](mailto:jvanlieshout@sturgeonbaywi.org))  
<[jvanlieshout@sturgeonbaywi.org](mailto:jvanlieshout@sturgeonbaywi.org)>; David Ward ([sbmayor@sturgeonbaywi.org](mailto:sbmayor@sturgeonbaywi.org))  
<[sbmayor@sturgeonbaywi.org](mailto:sbmayor@sturgeonbaywi.org)>  
**Subject:** Next steps in submerged land lease negotiations.

Good Afternoon Mr. German,

Thank you for meeting with the Mayor, Josh VanLieshout and Me on September 19, 2019 to walk the property proposed to be the subject of a submerge land lease and the eventual placement of the granary on the Sturgeon Bay waterfront. I realize you had to jockey your calendar to make the visit and I appreciate your making time.

As you are aware, I had hoped to begin negotiations regarding the submerged lands lease when we met. You informed me that we were not in a position to do so because you did not have sufficient guidance to negotiate a lease as the DNR had not approved the details of the proposed use of the site. I explained that the intended use, as submitted in our request, was a passive use of the granary in

conjunction with a public park, allowing the public access to the waterfront. I mentioned Mr. Kowalkowski's letter of June 18, 2019 a copy of which is attached. You pointed out that while the description of the project was sufficient to continue discussions, the DNR stated it would require specific limitations on the use of the granary for the public benefit. You suggested that a more particular plan delineating the use is needed so that the specific manner in which the property was to be used would be described.

I note that there has been some indication from the Sturgeon Bay Historical Society that it may intend development beyond the passive restoration we had applied for (see the attached <https://www.wbay.com/content/news/Historical-society-announces-plans-for-Sturgeon-Bay-granary-renovation-559604841.html> ). As you mentioned in our previous discussions, income produced by development on the land subject to a submerged land lease is considered in determining lease terms. While I assume the article's reference to restoring all 4 levels is a long term goal, I am not clear how that would affect the negotiation of the terms of a submerged land lease, if at all.

To keep all parties involved on the same page I am copying Mary Beth Peranteau the attorney for the owners of the granary and Mr. Kowalkowski of the DNR. I assume from our discussion the next step is to get a final plan of the proposed use of the granary site to the DNR so that we can receive their formal approval. If some other procedure is in order or more efficient, please let us know.

Thanks,

Jim Kalny





June 18, 2019

Attorney Mary Beth Peranteau (via email)  
Attorney Jim Kalney (via email)

Subject: Sturgeon Bay Granary

Dear Attorneys Peranteau and Kalney:

I am informed that the City of Sturgeon Bay and the Sturgeon Bay Historical Society are seeking the Department's position on the temporary placement of the Sturgeon Bay granary on lands below the Ordinary High Water Mark on the parcel located at 92 E. Maple Street. It is my understanding that the City and the Historical Society are contemplating a "ground lease" whereby the City authorizes the Historical Society to place the granary at that location, adjacent to the original foundation where the City contemplates maintaining the granary permanently under a submerged lands lease from the Board of Commissioners of Public Lands.

The Department does not object to the arrangement between the City and the Historical Society, provided that 1) the City continues within a reasonable timeframe to work with the Department and the Board of Commissioners of Public Lands to enter into a submerged lands lease for the site to include permanent placement of the granary, and 2) the City refrains from the permanent placement of the granary on its original foundations until a lease has been finalized. The Department will not require additional approval under its authorities for the temporary placement.

In addition, I am informed that the Development Agreement between the City and the Historical Society contains the following description of the contemplated uses of the Granary once restored and permanently placed:

*The granary will be a historic structure accessible by the public, analogous to a park shelter or observation tower but with the added dimension of having historically been a navigation-related use. It will have no facilities other than lighting and any venting as may be required by the remediation plan for the site.*

I would like to inform you that the Department finds this description acceptable and sufficient to continue discussions with the City regarding a submerged lands lease. Please note that the Department will require that specific limitations on the use of the granary be incorporated into a final lease, in order to ensure primary use of the structure for public benefit and consistency of the lease with the public

interest in navigable waters. Please also maintain communication with the Board of Commissioners of Public Lands as the leasing agency for submerged lands.

I encourage you to contact me if you have any questions or if I can provide additional information as the City and the Historical Society move forward with plans for the 92 E. Maple Street site.

Sincerely,

/s/

Michael Kowalkowski  
Staff Attorney

cc:

Tom German – Deputy Secretary, Board of Commissioners of Public Lands

Sarah Szabo – Water Management Specialist, Department of Natural Resources