



**CITY OF STURGEON BAY COMMON COUNCIL AGENDA
TUESDAY, MARCH 5, 2019
7:00 P.M.
COUNCIL CHAMBERS, CITY HALL – 421 MICHIGAN ST
THAD G. BIRMINGHAM, MAYOR**

1. Call to order.
2. Pledge of Allegiance.
3. Roll call.
4. Adoption of agenda.
5. Presentation: 2018 Annual Fire Report.
6. Public Comment.
7. Consideration of the following bills: General Fund – \$4,900,898.37, Capital Fund - \$494.76, Cable TV - \$5,106.51, TID #2 - \$56,705.85, TID #4 - \$5,637.40, and Solid Waste Enterprise Fund - \$1,287.34 for a grand total of \$4,970,130.23. roll call]
8. **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 2/19/19 regular Common Council minutes.
 - * b. Approval of the following minutes:
 - (1) Community Protection & Services Committee – 2/14/19
 - (2) Finance/Purchasing & Building Committee – 2/19/19
 - (3) City Plan Commission – 2/20/19
 - (4) Police & Fire Commission – 2/21/19
 - * c. Place the following reports on file:
 - (1) Fire Department Report – January 2019
 - (2) Inspection Department Report – January 2019
 - * d. Consideration of: Approval of beverage operator license.
 - * e. Consideration of: Approval of Class B Beer and Class C Wine license for Dan's Kitchen.
 - * f. Consideration of: Approval of Temporary Class B Wine license for Neighbor to Neighbor Volunteer Caregivers of Door County, Inc.
 - * g. Consideration of: Approval of request from Miller Art Museum to serve wine at three events after library is closed.

- * h. Finance/Purchasing & Building Committee recommendation re: Approve the pre-annexation agreement with Duquaine Development, Inc. with the stipulations that park fees for phase 1 would be \$150.00 per unit and the boundaries for the annexation agreement be approved by the City.
 - * i. Finance/Purchasing & Building Committee recommendation re: Approve a funds transfer in the amount of \$8,000 from capital contingency line item 10-199-000-59999 to 10-225-000-59035 vehicles, for the purchase of a 2009 Ford Explorer from the GSA program and declare the Ford 500 as surplus.
 - * j. Finance/Purchasing & Building Committee recommendation re: Purchase a Caterpillar MDL 12ME AWD from Fabick CAT at a cost not to exceed \$266,000, trade in the 2002 Caterpillar 143H Grader and approve the \$6,000 fund transfer from capital budget line 10-199-000-59999 capital contingency to 10-410-000-59065 grader.
 - * k. City Plan Commission recommendation re: Approve an amendment to Section 20.10(2)(c)(11)(a) of the Municipal Code (Zoning Code) regarding the minimum side and rear yard for detached accessory dwelling units.
 - * l. City Plan Commission recommendation re: Approve an amendment to Section 20.29(1) of the Municipal Code (Zoning Code) regarding accessory building heights regulations.
9. Mayoral appointments.
 10. Consideration of: Award of Contract for Project 1902A – Concrete Replacement Program.
 11. Consideration of: Award of Contract for Project 1902B – Asphalt Replacement Program.
 12. Consideration of: Mayoral Veto of Council action approving the withdrawal of the City from the appeal of the judgement of Door County Circuit Court Case 16-CV-23 (Court of Appeals Case 2017AP800).
 13. Consideration of: Development Agreement between City of Sturgeon Bay and Sturgeon Bay Historical Society Foundation Inc. for Teweles & Brandeis Granary.
 14. Items to be Included on Future Agendas (New Business).
 15. City Administrator report.
 16. Committee Chairperson Reports:
 - a. City Plan Commission
 - b. Finance/Purchasing & Building Committee
 - c. Park & Recreation Committee
 17. Mayor's comments.
 18. Convene in closed session in accordance with the following exemptions:

Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Wis. Stats. 19.85(1)(e)

Consideration of: Development Agreement between City of Sturgeon Bay and Sturgeon Bay Historical Society Foundation Inc. for Teweles & Brandeis Granary.

Move to reconvene in open session to take formal action upon preceding subjects of closed session, if appropriate; or to conduct discussion or give further consideration where the subject is not appropriate for closed session consideration. The Council may adjourn in closed session.

19. Adjourn.

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.

Posted:

Date: 3-1-19

Time: 12:00pm

By: UM

STURGEON BAY FIRE DEPARTMENT ISO CLASS 2



2018 FIRE REPORT

Sturgeon Bay Fire Department protects the citizens and visitors in the City of Sturgeon Bay, Town of Sevastopol and Town of Sturgeon Bay. While the role of the Fire Service has dramatically changed and increased in complexity over the years, the commitment to serve our community with integrity, courage, compassion, and resilience remains steadfast. Our Department recognizes the importance of adaptability and the critical need to change with the needs of the community. Emergency medical responses make up a fair majority of our incident volume; however, we continue to experience fires, technical rescues including confined space, shipboard, ice, water, and hazardous material responses. Our constant training in fire tactics, medical skills, confined space, high angle, tactical medical, active shooter, driver training, ice rescue, water rescue, boat operations, shipboard fire and rescue, and many other areas continue to keep us busy and our skills honed. We don't train until we get it right, we train until we can't get it wrong. I cannot express how exceptionally proud of our men and women that serve in all areas of the Sturgeon Bay Fire Department, each and every one of them are highly skilled professionals who are pushed to their physical, mental, and emotional limits on a daily basis. Their passion for serving and a commitment to our mission is what we do, it is what the community expects, and it is why we earn the respect and support of those we serve.

The Sturgeon Bay Fire Department is in very good health, we have been short 3 part-time firefighters and have been actively looking for candidates. We are very hopeful we can start our testing process in the very near future. With current discussions at the County level regarding privatizing EMS/Paramedic services, and this being a local responsibility, I believe that we as a Fire Department and City must look into pursuing the option to provide Fire based Paramedic service for our community. All Sturgeon Bay Firefighters continue to strive and succeed in all fields, with much of this attributed to continued training at our new training facility. In 2018, Sturgeon Bay Fire Department completed a State of Wisconsin SPS audit and was found to be in substantial compliance. We were credited with good record keeping, being very well organized, and a great job in all areas reviewed. We found our area of need is providing the required follow up on fire inspections. Wisconsin SPS requirement to complete follow up inspections within a specified time frame has been put in place in order to remain compliant for 2% dues. With follow up inspections, additional regular inspections, special event inspections, additional fire prevention public education events and training, we recognize a strong need for a new full-time position. In 2018, we completed 1,691 fire inspections in 1,644.15 hours, 338.11 hours of Public Fire Safety Education and 123.84 hours of Community Service. With the added requirements we will not be able to complete our inspections, provide Fire Education or Public Education as we do today, we know we will have to eliminate many of these services. We currently attribute many of our successes to Public Education and Fire Prevention. We are looking into the creation of a new Division Chief of Fire Prevention/Public Education position. This newly created position would be in charge of fire inspections, fire prevention, assist in investigations, and day to day training. Currently, both of our new engines are in the process of being built at the Ferrara plant in Louisiana and we expect delivery in early July 2019. Future Capital replacement items include: Assistant Chief Vehicle, Squad/Dive truck, and both Brush trucks. One major item that must be addressed in the very near future will be Station 2 (Westside Station). The station was built in 1974, in the 45 years since we moved in, apparatus has continued to grow in size and we have utilized all useable areas, currently we have little to no room for our equipment, apparatus nor supplies. We must consider an extensive remodel in the next 1-2 years, or a complete new station within 4-5 years in order to maintain our level of service to the community.

We have designed this report to highlight our performance and accomplishments in 2018. I sincerely believe this report will make you proud to live, work, and recreate in the City of Sturgeon Bay, Town of Sevastopol and Town of Sturgeon Bay. In closing, I want to reiterate how proud I am of the work conducted by the members of the Sturgeon Bay Fire Department and to share with you their commitment to serve. I hope their commitment to our mission and values provide you with the same pride and satisfaction I enjoy each and every day as their Fire Chief.



Tim Dietman

Sturgeon Bay Fire Chief



STURGEON BAY FIRE DEPARTMENT MISSION STATEMENT

The Sturgeon Bay Fire Department's mission is to protect
Life and Property from Fire, Medical and Environmental
Emergencies for our Community through Public Education,
Code Management and Incident Response.

STATEMENT OF VALUES

- We value **RESPECT**. We will at all times display respect for our customers, our peers, and for each other.
- We value **INNOVATION**. We are professional problem solvers: our creativity and ingenuity as the most important tools that we can wield.
- We value **EXCELLENCE**, both collectively and individually, and will strive for it in all that we do.
- We value **INTEGRITY**. We recognize that our citizens are the reason for our existence, and that the trust the public places in us is hard-earned and easily lost. We will honor that trust by acting at all times with honesty and integrity.
- We value **TEAMWORK** and **COOPERATION**. Together we are stronger, smarter, better.

STURGEON BAY FIRE DEPARTMENT STAFFING

FIRE CHIEF
TIM DIETMAN

ASSISTANT FIRE CHIEF
KALIN MONTEVIDEO

2018 CAREER FIREFIGHTER STAFFING

RED SHIFT

LT Ken Doell
FF Brent Wiegand
FF Mike Cihlar
FF Brian Hanson

BLUE SHIFT

LT Matt Austad
FF Mike Witt
FF Richard Soukup
FF Mike Paye

GREEN SHIFT

LT Mike Smith
FF Mike Frangipane
FF Mark Smith
FF Ethan Jorns

2018 PART-TIME FIREFIGHTER STAFFING

SHIFT ONE

Todd Ploor
Dean Gordon
Logan Vandertie
Tylor Torstenson
Kyle Coyer

SHIFT TWO

Austin Gulley
Tracy Koontz
Dakota Crosby
Ben Weber
Jason Mann
Brad Kaster

SHIFT THREE

Chris Drover
Jeremy Paszczak
Ryan Wery
Anthony Aldrich
Shane Wautier



STATIONS

Sturgeon Bay Station #1

421 Michigan Street

Station #1 (Eastside Station) is the department headquarters. It is staffed 24-hours a day, seven days a week with two firefighters. The Fire Chief and Assistant Fire Chief work a 40/week out of this station as well. Apparatus housed at this station are; Fire Engine, Heavy Rescue Squad, Brush Truck, Dive/Air Support Truck, Tender and 100' Platform/Ladder Truck.



Sturgeon Bay Station #2

656 S. Oxford Ave

Station #2 (Westside Station) is staffed 24-hours a day, seven days a week with two firefighters. Apparatus housed at this station are; Fire Engine, Tender and Brush Truck/Mini-Pumper

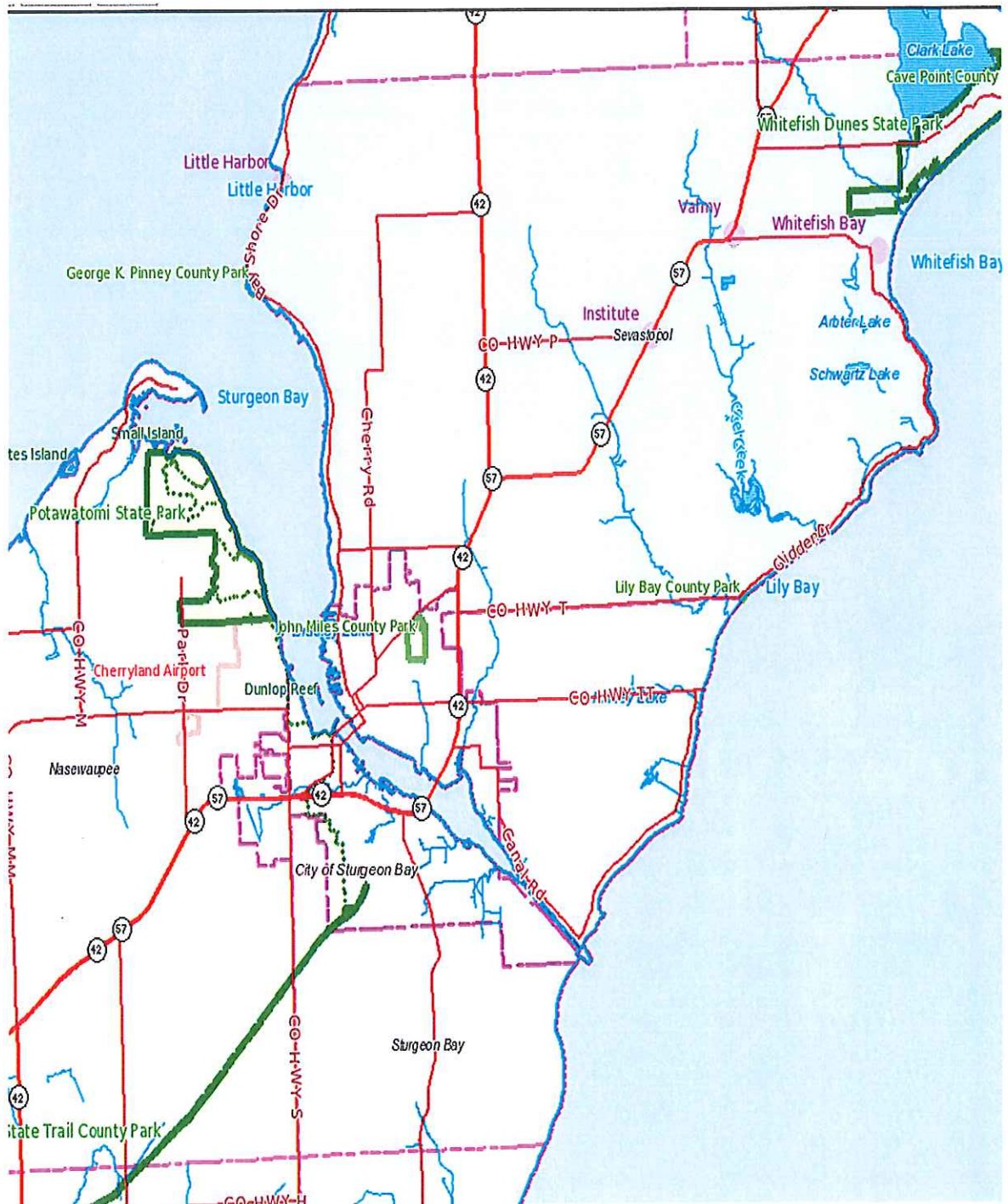


STURGEON BAY FIRE DEPARTMENT EQUIPMENT

APPARATUS

Tender 1	2008 Freightliner Tender; 1,000 GPM Pump with 2000 gallons Water
Truck 2	2018 Ferrara, 100' Rear Mount Platform; 2,000 GPM Pump with 400 gallons Water
Tender 3	2016 Freightliner Tender; 1,250 GPM Pump with 2000 gallons Water
Engine 4	2001 Spartan Engine; 1,500 GPM Pump with 1,000 gallons Water
Brush 5	2009 Ford 4x4 crew cab with 200 gallon water tank/pump
Engine 6	1997 Spartan Engine; 1,500 GPM Pump with 1,000 gallons Water
Squad 7	1996 Chevrolet, step-van, Dive/Rescue/Air cascade vehicle
Brush 8	2014 Ram 4x4 Mini-Pumper, 500 GPM Pump with 250 gallons Water
Chief 10	2017 Chevy Tahoe, Fire Chief Vehicle
Chief 11	2009 Ford F150, Assistant Chief Vehicle
Squad 1	2006 Marion, Heavy Duty Rescue Truck
Marine 1	2010 27' SAFE Boat w/250gpm pump, Joint Police & Fire/Rescue
Marine 2	2003 Quicksilver 12ft Rescue Raft
UTV	2005 John Deere Gator (UTV) w/60 gallon skid pump
Special Response Trailer	Carries Trench/Collapse Rescue Equipment; Rehab Trailer
UTV/Mobile Command Trailer	Carries UTV, Mobile Command; Rehab Trailer

COVERAGE AREA

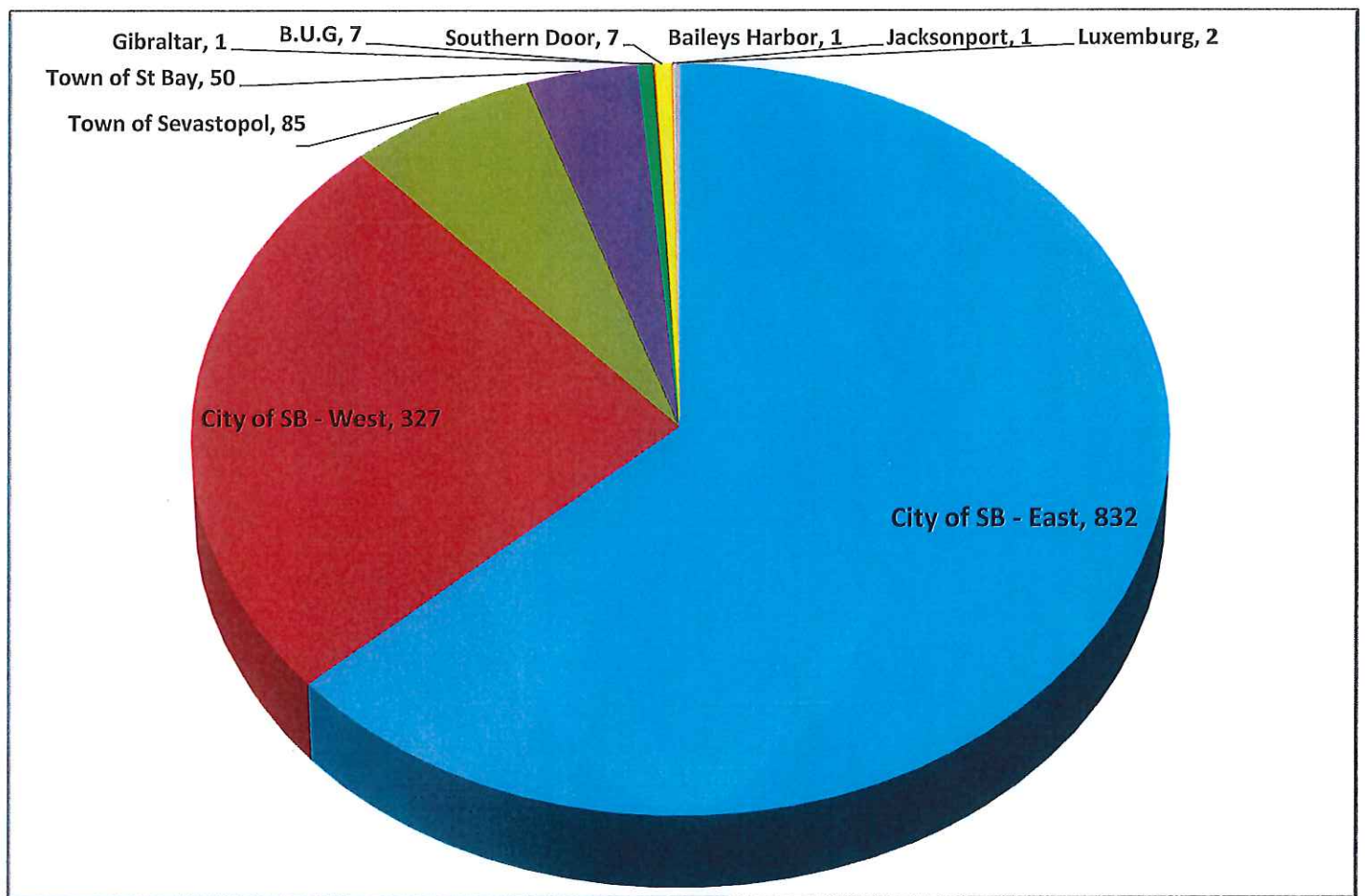


APPROX. 130 SQUARE MILES

Sturgeon Bay Fire Department Incident Summary

Total Incidents: 1,313

City of SB - Eastside:	<u>832</u> Calls	<u>164</u> Fire Calls	<u>668</u> EMR Calls
City of SB - Westside:	<u>327</u> Calls	<u>79</u> Fire Calls	<u>248</u> EMR Calls
Town of Sevastopol:	<u>85</u> Calls	<u>77</u> Fire Calls	<u>08</u> EMR Calls
Town of Sturgeon Bay:	<u>50</u> Calls	<u>18</u> Fire Calls	<u>32</u> EMR Calls
B.U.G.:	<u>07</u> Calls	<u>07</u> Fire Calls	
Gibraltar:	<u>01</u> Call	<u>01</u> Fire Call	
Southern Door:	<u>07</u> Calls	<u>07</u> Fire Calls	
Jacksonport:	<u>01</u> Call	<u>01</u> Fire Call	
Baileys Harbor:	<u>01</u> Call	<u>01</u> Fire Call	
Luxemburg:	<u>02</u> Calls	<u>02</u> Fire Calls	



Average Response Times:

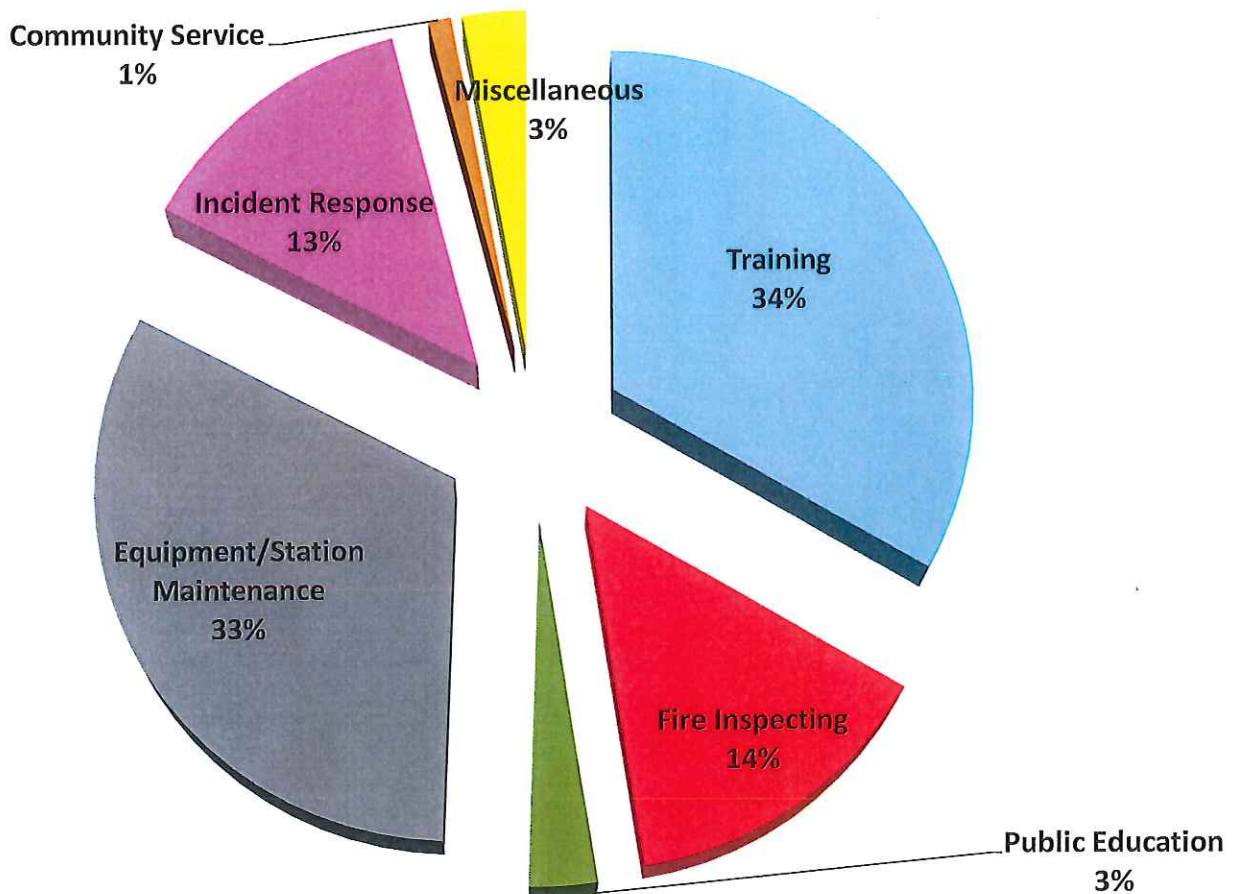
City - Eastside calls (emergent):	<u>04 Minutes 01 Second</u>
City - Eastside calls (non-emergent):	<u>04 Minutes 12 Seconds</u>
City - Westside calls (emergent):	<u>03 Minutes 31 Seconds</u>
City - Westside calls (non-emergent):	<u>04 Minutes 06 Seconds</u>
Town of Sturgeon Bay (emergent):	<u>08 Minutes 09 Seconds</u>
Town of Sturgeon Bay (non-emergent):	<u>10 Minutes 15 Seconds</u>
Town of Sevastopol (emergent):	<u>10 Minutes 12 Seconds</u>
Town of Sevastopol (non-emergent):	<u>12 Minutes 32 Seconds</u>

INCIDENT TYPE BY JURISTICTION

INCIDENT TYPE	CITY OF ST BAY	TOWN OF SEVASTOPOL	TOWN OF ST BAY	B.U.G	BAILEYS HARBOR	GIBRALTAR	SOUTHERN DOOR	JACKSONPORT	LUXEMBURG
Cooking Fire	2	1							
Outside/Trash									
Grass Fire	3	4							
Chimney Fire	1		1						
Dryer Fire		1							
Extrication from Building/Structure		1							
Structure Fire	4	2	1	4		1			
Water Vehicle Fire	1		1						
Vehicle Fire	3	1							
Dumpster Fire	2								
Outside Equipment Fire	1								
Person In Distress	1								
Medical Assist – EMR	916	8	32						
Water Problem/Leak	3								
Extrication from Elevator	2								
Ice / Water Related Rescue		2					3		
Water Craft Rescue	1	4		1			2		
Gas Leak	28	3							
Flammable/Combustible Liquid Leak/Spill	7								
Carbon Monoxide Incident	28	5	2						
Electrical/Equip Problem	6	6	1						
Power Line Down		1							
Animal Rescue	3								
Public Service	9								
Unauthorized Burning	6	3							
Dispatched & Cancelled	2		1				2		
Lock-Out	2	1							
Smoke/Odor Removal	3								
Smoke Scare/Smoke Odor	12	1							
Alarm Activation, No Fire	60	16	4						
Vehicle Accident	32	17	6					1	
Citizen Complaint	1	2							
Assist Law Enforcement/Gvmt Agency	9	3	1						
Sprinkler System Activation, No Fire	1								
Building/Structure Weakened or Collapsed	1								2
Authorized/Controlled Burn	3	3							
Fire Investigation	1			2					
Excessive Heat, Scorch Burns, No Ignitions	3								
Search for Person in Water	1								
Search for Person on Land	1				1				
TOTAL	1159	85	50	7	1	1	7	1	2

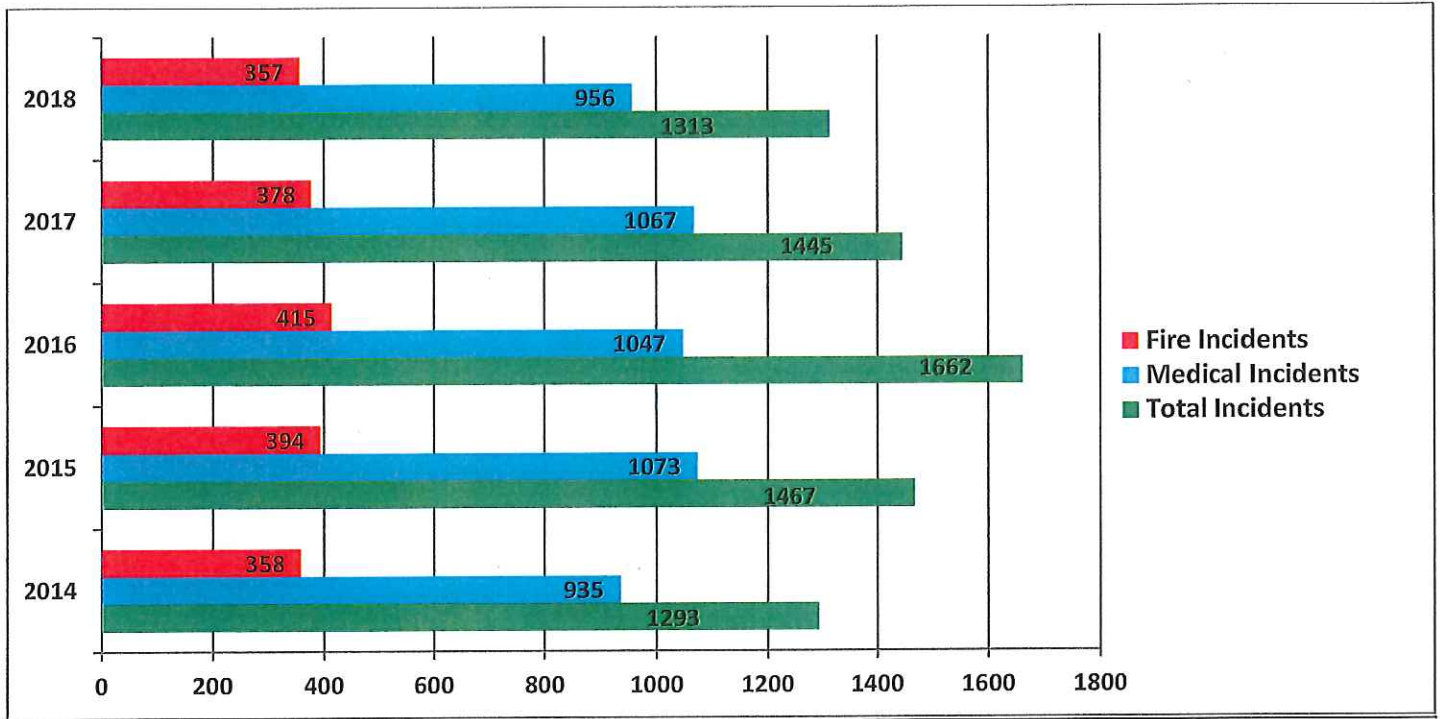
Staff Hour Summary

Community Service:		<u>123.84 Hours</u>
* Assist Another Dept.	* Dock/Marina Testing	
* Honor Guard Activities	* Port Security Cameras	
Firefighter Training:		<u>3,895.26 Hours</u>
Fire Inspections:		<u>1,644.15 Hours</u>
*City of Sturgeon Bay – 1,357 Hours	*Town of Sevastopol – 170.48 Hours	
1,460 Inspections	128 Inspections	
*Town of Sturgeon Bay – 23.5 Hours	*Town of Jacksonport – 96.5 Hours	
19 Inspections	84 Inspections	
Incident Response:		<u>1,563.18 Hours</u>
Miscellaneous Hours:		<u>339.84 Hours</u>
* Meetings	* Physicals	
* Building Pre-Plans	* Truck Research	
Public Fire Safety Education:		<u>338.11 Hours</u>
* Car Seat Install	* Fire Drills/Testing	
* Special Events/Parades	* Fire Safety Presentations	
Station/Equipment Maintenance:		<u>3,745.63 Hours</u>
* Ladder Inspection/Maint	* Apparatus Checks	
* Station Cleaning	* Hose Testing	
* Inventory	* Apparatus/Equipment Maint/Repair	
* Gear Inspections	* Pump Testing	
Total Hours:		<u>11,650.01 Hours</u>

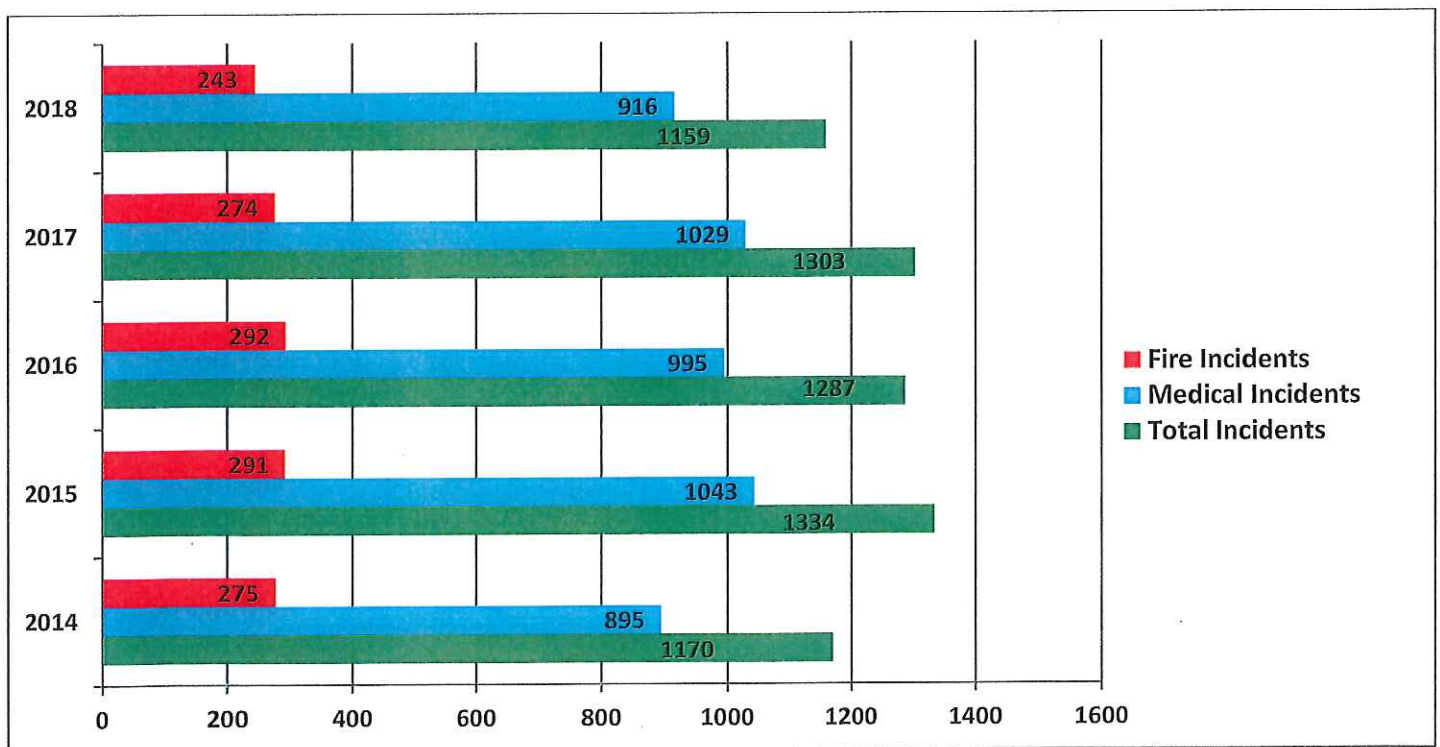


5 YEAR INCIDENT COMPARISON

TOTAL INCIDENTS

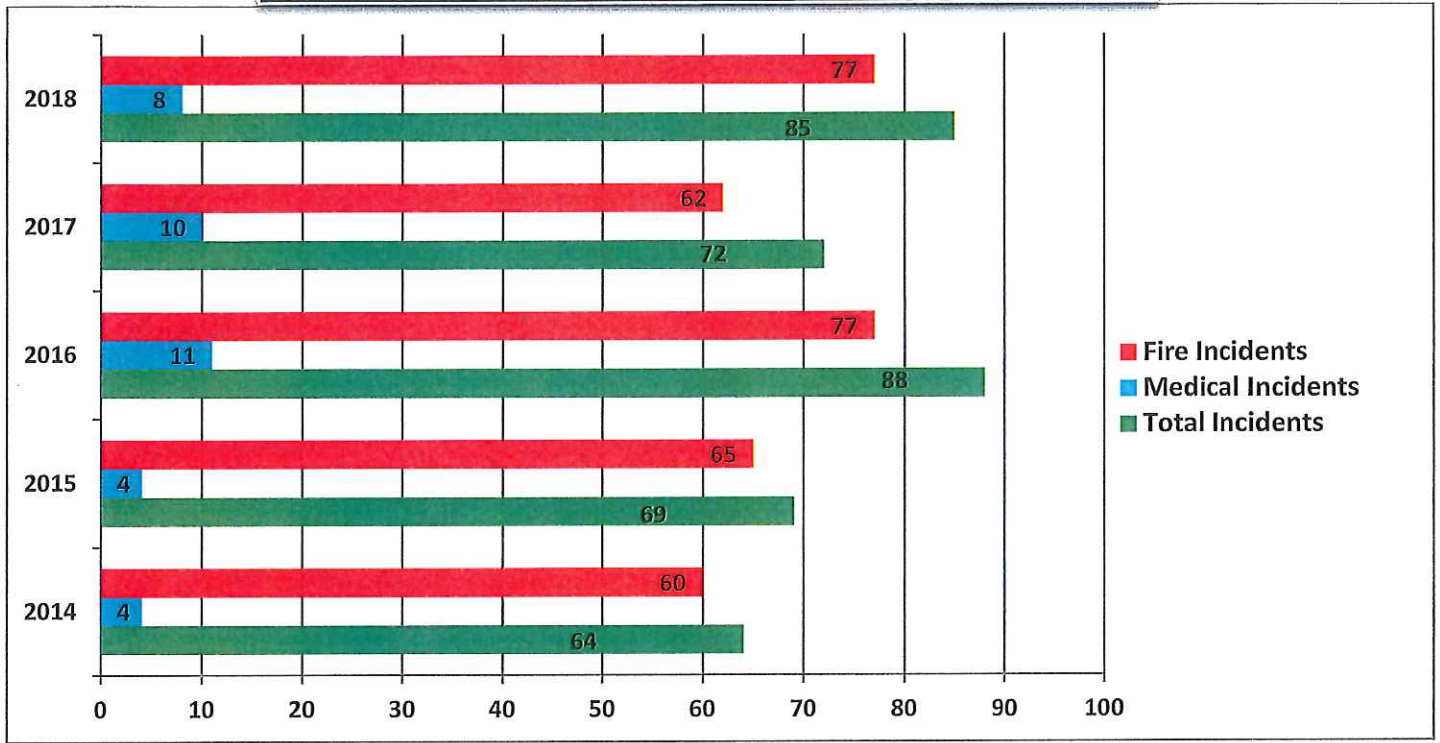


CITY OF STURGEON BAY

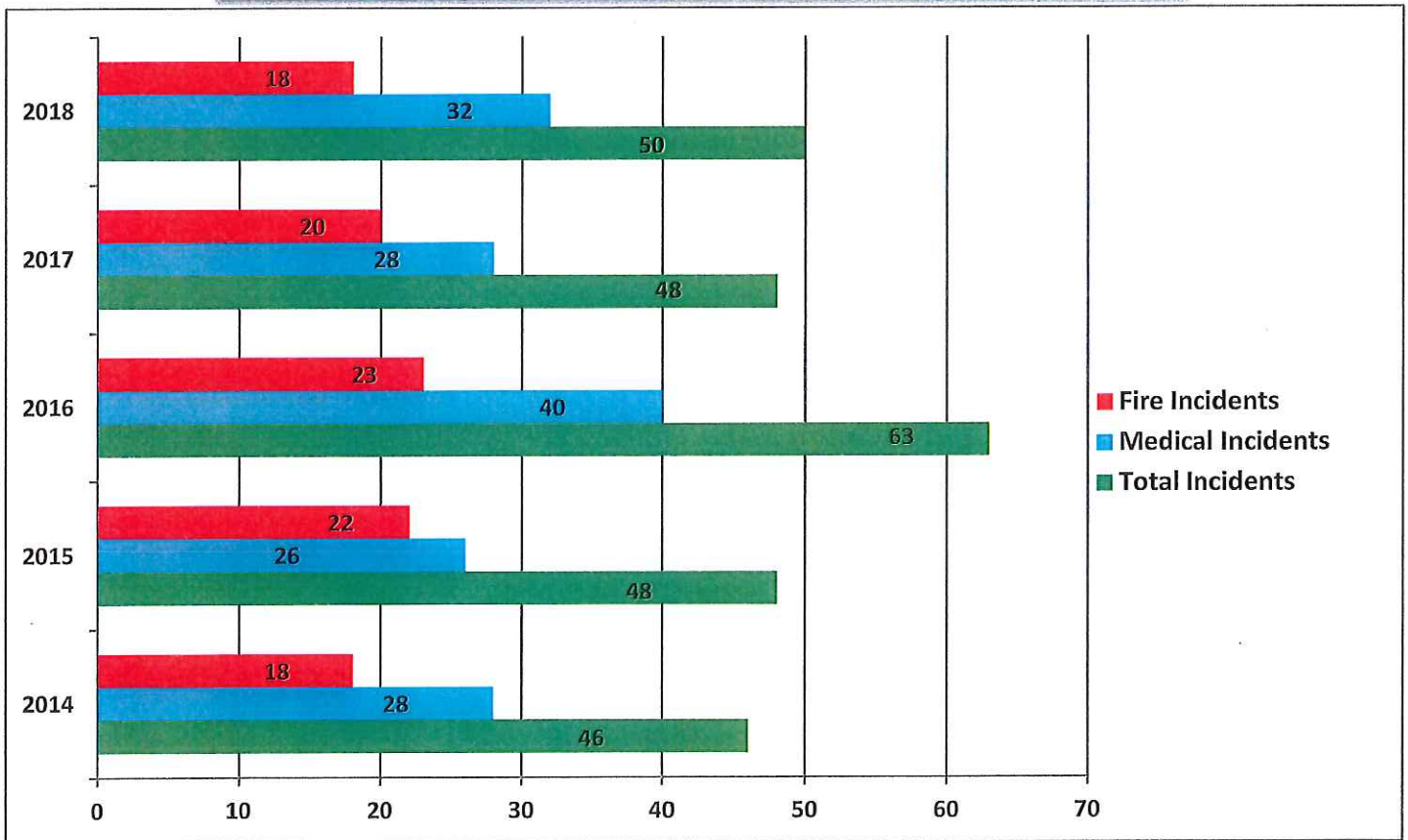


5 YEAR INCIDENT COMPARISON

TOWN OF SEVASTOPOL



TOWN OF STURGEON BAY

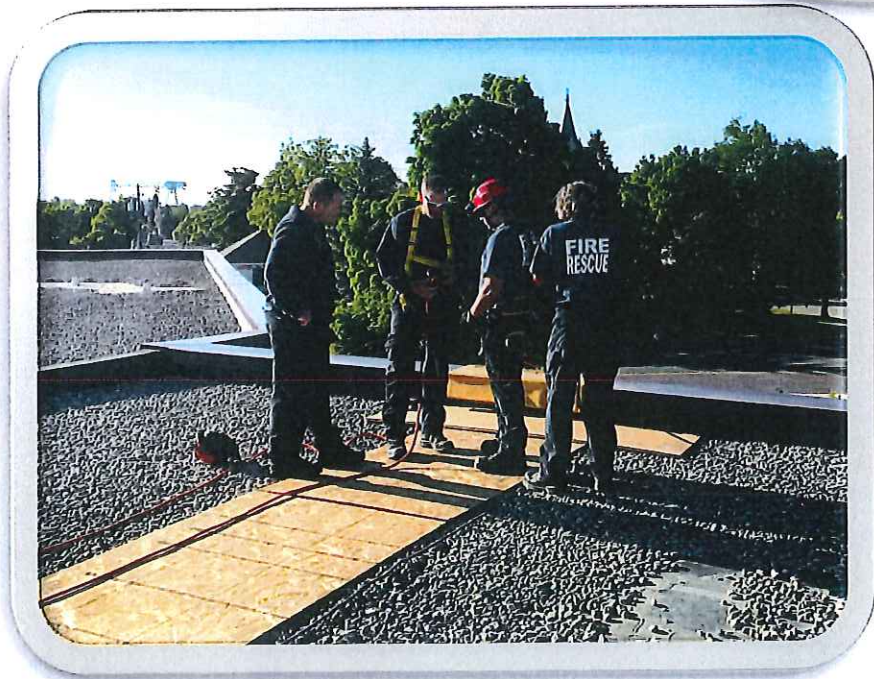


AGENCY OVERVIEW

Some primary services provided by the Sturgeon Bay Fire Department include:

- Fire Suppression
- Emergency Medical Responder Services, Tactical Medical/RTF
- Public Education/Community Risk Reduction
- Fire Prevention (Inspection)
- Fire Investigation/Special Investigations
- Special Rescue (Marine, Technical)

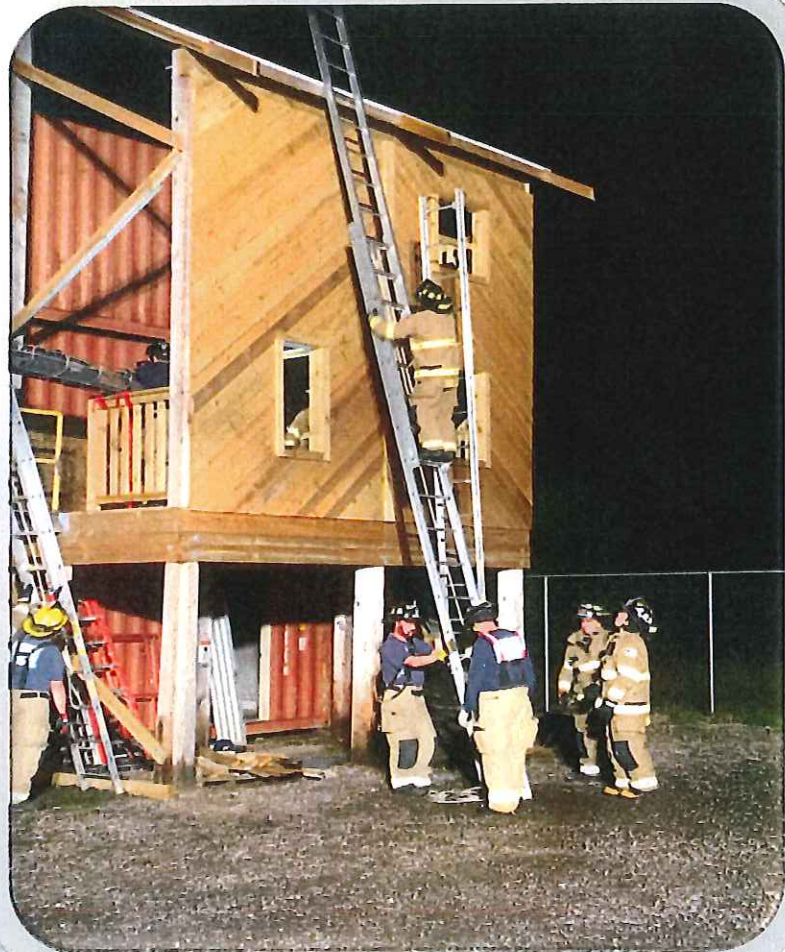




HONOR GUARD

- Sturgeon Bay Honor Guard is a combined Fire & Police Honor Guard
- Fire Department Honor Guard comprised of Full-time and Part-time Firefighters
- Attend Fallen Fighters Memorial
- Attend Wisconsin Fallen Firefighter Memorial
- Assist with local retiree funerals
- Participate in all Sturgeon Bay parades with colors
- Participate in community events posting and presenting colors





ICE & WATER RESCUE

- Sturgeon Bay Fire provides first response rescue capabilities for all types of ice & water related incidents.
- The Sturgeon Bay Fire Department Ice & Water Rescue Team also responds to emergencies assisting the Door County Dive Team as needed.
- Sturgeon Bay Fire Departments members are highly trained and utilize a variety of equipment some of which include a 27' Fire/Rescue boat, and a 12' rescue boat. The team is also supported by a drone housed out of station 1.
- Sturgeon Bay Fire Ice & Water rescue team works and trains with the United States Coast Guard and Wisconsin DNR on a regular basis



RESCUE TASK FORCE

The Sturgeon Bay Fire Department's Rescue Task Force (RTF) is tasked with the responsibility of assisting with medical care during mass casualty acts of violence or other active threat situations. RTF Teams are comprised of specially trained Firefighters and Paramedics from Sturgeon Bay Fire Department and Door County Emergency Services. They are part of a work group of Firefighters and Paramedics that have the common goal of treating and rescuing victims from an active threat. RTF Teams are designed to operate in the "warm zone" of active threat situations, where they work in areas that are clear but not secure. As the law enforcement objectives of identify, confine, and eliminate threats are proceeding, RTF Teams can be provided a separate security detail and enter the area to provide wound care for victims. The RTF Team's main goal is to access, stabilize, and evacuate victims from these hostile environments.



Fire Prevention/Community Risk Reduction

- Educational programming through Fire Prevention provides data driven, fire and life safety information to our community.
- Examples of programming include: smoke alarm installation, carbon monoxide detector installation, home safety visits, preschool and grade school fire safety curriculum, and fire and home safety prevention programming for older adults.
- Fire extinguisher training including hands on use for commercial business and local civic groups



Community Outreach

- Sturgeon Bay Fire Department provides education and installation of Child Safety Seats by a Certified Technician. In 2018, working closely with Door County Public Health and Door County Medical Center, we installed 56 child seats.
- Sturgeon Bay Fire Department participates in Leader Dog Program, Girl Scout Cookie Program, YMCA health fair, Door/Kewaunee career day, job fairs, parades, local festivals, Red Cross community events, Safe Kids Day, and many other local events





November 15, 2018

Hi!

On behalf of the "Northeastern Wisconsin Reader Dog Support Project", I want to thank you for taking the time to work with our dogs and our readers. This valuable experience is very much appreciated.

I thought you might like to have the enclosed picture.

Again, thanks!

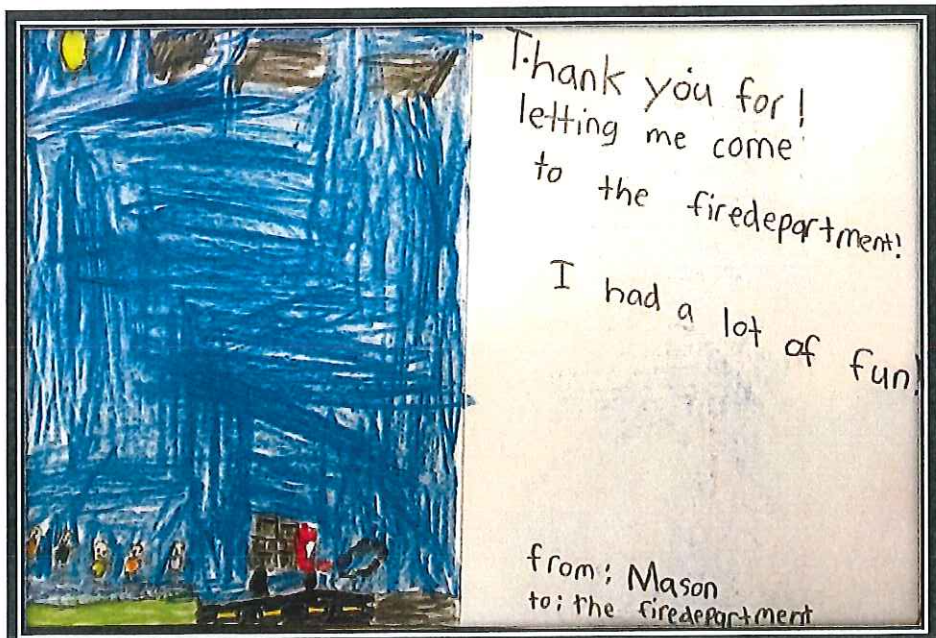
Maggie Wein

Chief Dietman, Assistant
Chief Montevideo &
Staff

Thank you so very
much for your time &
knowledge on fire
safety. It is always a
pleasure to see you &
have a refresher course.
We appreciate all you do
for us & our community.

The Drs & staff at the
Animal Clinic & Surgeon Bay.

Dr. Jennifer Wiley Dr. Votz Dr. D.
Dr. Cheryl Tom Brittan
Brittan Kattler



Thank you for!
letting me come
to the fire department!

I had a lot of fun!

from: Mason
to: the fire department

Duty-Honor-Tradition



DATE: 02/26/2019
TIME: 14:27:17
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7.

CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT

PAGE: 1

7.

INVOICES DUE ON/BEFORE 03/05/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
GENERAL FUND				
LIABILITIES				
19610	RICHARD STUEWER	02/19 INS PREMIUM REIMB/STUEWR	01-000-000-21530	314.77
TOTAL LIABILITIES				314.77
UNIT 3 REPLACEMENT				
13170	BOARD OF COMMISSIONERS OF	03/19 FIRE TENDER #3	01-000-989-70000	65,786.06
13170		03/19 FIRE TENDER #3	01-000-989-70001	5,058.09
TOTAL UNIT 3 REPLACEMENT				70,844.15
STREET SWEEPER				
13170	BOARD OF COMMISSIONERS OF	03/19 STREET SWEEPER	01-000-990-70000	35,966.36
13170		03/19 STREET SWEEPER	01-000-990-70001	2,765.35
TOTAL STREET SWEEPER				38,731.71
TANDEM AXLE DUMP TRUCK				
13170	BOARD OF COMMISSIONERS OF	03/19 TANDEM AXEL	01-000-991-70000	35,463.90
13170		03/19 TANDEM AXEL	01-000-991-70001	2,726.71
TOTAL TANDEM AXLE DUMP TRUCK				38,190.61
GEORGIA STREET EXTENSION				
13170	BOARD OF COMMISSIONERS OF	03/19 GEORGIA STREET	01-000-992-70000	2,043.98
13170		03/19 GEORGIA STREET	01-000-992-70001	545.21
TOTAL GEORGIA STREET EXTENSION				2,589.19
CITY ENGINEER VEHICLE				
13170	BOARD OF COMMISSIONERS OF	03/19 ENGINEER TRUCK	01-000-993-70000	3,959.77
13170		03/19 ENGINEER TRUCK	01-000-993-70001	304.45
TOTAL CITY ENGINEER VEHICLE				4,264.22
ONE TON DUMP TRUCK				
13170	BOARD OF COMMISSIONERS OF	03/19 1 TON TRUCK	01-000-994-70000	5,895.36
13170		03/19 1 TON TRUCK	01-000-994-70001	453.28
TOTAL ONE TON DUMP TRUCK				6,348.64
3/4 TON TRUCK W/PLOW				
13170	BOARD OF COMMISSIONERS OF	03/19 3/4 TON TRUCK	01-000-995-70000	5,344.21
13170		03/19 3/4 TON TRUCK	01-000-995-70001	410.90
TOTAL 3/4 TON TRUCK W/PLOW				5,755.11
2016 ROADS				
13170	BOARD OF COMMISSIONERS OF	03/19 ROAD IMPROVEMENTS	01-000-996-70000	8,237.76
13170		03/19 ROAD IMPROVEMENTS	01-000-996-70001	2,197.32
TOTAL 2016 ROADS				10,435.08
2016 MISC. EQUIPMENT				
13170	BOARD OF COMMISSIONERS OF	03/19 POLICE EQUIP/GARAGE DOOR	01-000-997-70000	31,396.43
13170		03/19 POLICE EQUIP/GARAGE DOOR	01-000-997-70001	784.91
13170		03/19 FIRE DEPT TRCK RADIO	01-000-997-70000	2,676.55

DATE: 02/26/2019
TIME: 14:27:17
ID: AP443000.CST

CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT

PAGE: 2

INVOICES DUE ON/BEFORE 03/05/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
2016 MISC. EQUIPMENT				
2016 MISC. EQUIPMENT				
13170		03/19 FIRE DEPT TRCK RADIO	01-000-997-70001	66.91
13170		03/19 TURN OUT GEAR	01-000-997-70000	5,055.57
13170		03/19 TURN OUT GEAR	01-000-997-70001	126.39
TOTAL 2016 MISC. EQUIPMENT				40,106.76
SELF-CONT BREATHING AP				
13170	BOARD OF COMMISSIONERS OF	03/19 SCBA	01-000-999-70000	47,806.92
13170		03/19 SCBA	01-000-999-70001	3,675.73
TOTAL SELF-CONT BREATHING AP				51,482.65
TOTAL GENERAL FUND				269,062.89
LAW/LEGAL				
03950	DAVIS KUELTHAU	12/18 GEN LEGAL MATTERS	01-110-000-55010	14,991.42
TOTAL				14,991.42
TOTAL LAW/LEGAL				14,991.42
CITY CLERK-TREASURER				
01766	AURORA MEDICAL GROUP	PRE EMPLOY SCREEN/CLARIZIO	01-115-000-57100	40.00
04650	DOOR COUNTY REGISTER OF DEEDS	RECORDING FEES	01-115-000-56350	30.00
BUBRICKS	BUBRICK'S COMPLETE OFFICE, INC	TONER	01-115-000-51950	78.08
BUBRICKS		POST ITS/FOLDERS/COLOR PPR	01-115-000-51950	49.69
TOTAL				197.77
TOTAL CITY CLERK-TREASURER				197.77
ADMINISTRATION				
PULSE	PENINSULA PULSE	PERM ADMIN ASSIST ADVERT	01-120-000-54999	72.18
TOTAL				72.18
TOTAL ADMINISTRATION				72.18
COMPUTER				
03101	CDW GOVERNMENT, INC.	SURFACE KEYBOARD,COVER,MOUSE	01-125-000-55550	1,056.02
TOTAL				1,056.02
TOTAL COMPUTER				1,056.02
CITY ASSESSOR				

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INVOICES DUE ON/BEFORE 03/05/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE

GENERAL FUND				
ASSO APP	ASSOCIATED APPRAISAL	03.05.19 CONTRACT	01-130-000-55010	1,333.33
TOTAL				1,333.33
TOTAL CITY ASSESSOR				1,333.33
BUILDING/ZONING CODE ENFORCEMENT				
SAFEBUILD	SAFE BUILT	01/19 PERMITS	01-140-000-55010	5,574.59
SAFEBUILD		01/19 PLAN REVIEW SERVICES	01-140-000-55010	382.50
TOTAL				5,957.09
TOTAL BUILDING/ZONING CODE ENFORCEMENT				5,957.09
PUBLIC WORKS ADMINISTRATION				
22800	WALMART COMMUNITY	OFFICE SUPPLIES	01-150-000-51950	68.78
BUBRICKS	BUBRICK'S COMPLETE OFFICE, INC	LABEL PRINTER W/LABLES	01-150-000-51950	83.58
TOTAL				152.36
TOTAL PUBLIC WORKS ADMINISTRATION				152.36
ELECTIONS DEPARTMENT				
04975	ECONO FOODS	BAKERY/ELECTION WORKERS	01-155-000-54999	17.06
TOTAL				17.06
TOTAL ELECTIONS DEPARTMENT				17.06
CITY HALL				
19959	SUPERIOR CHEMICAL CORP	10 BOXES ICE MELT @ 33.43 EA	01-160-000-51850	334.30
19959		FREIGHT	01-160-000-51850	65.80
23730	WPS	421 MICHIGAN ST-CITY HALL	01-160-000-56600	1,905.94
WARNER	WARNER-WEXEL WHOLESALE &	12 BOWL/URINAL CLEANERS	01-160-000-51850	41.88
WARNER		CLEANING SUPPLIES	01-160-000-51850	22.18
WARNER		DISENFECTANT-6 @ 4.55	01-160-000-51850	27.30
TOTAL				2,397.40
TOTAL CITY HALL				2,397.40
INSURANCE				
MCCLONE	MCCLONE AGENCY, INC	DELETE '87 PIERCE LADDR TRUCK	01-165-000-55200	-1,713.00
MCCLONE		DELETE 87 PIERCE LADDR TRUCK	01-165-000-55200	-382.00
MCCLONE		03/19 WORK COMP	01-165-000-58750	10,708.00
MCCLONE		03/19 GEN LIAB	01-165-000-56400	3,253.00

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VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE

GENERAL FUND				
MCCLONE		03/19 POLICE LIAB	01-165-000-57150	1,289.00
MCCLONE		03/19 PUBLIC OFFICIAL	01-165-000-57400	1,235.00
MCCLONE		03/19 AUTO LIAB	01-165-000-55200	1,908.00
MCCLONE		03/19 AUTO PHY DAMAGE	01-165-000-55200	1,887.00
TOTAL				18,185.00
TOTAL INSURANCE				18,185.00

GENERAL EXPENDITURES

BOETTCOM	BOETTCHER COMMUNICATIONS	WEBSITE ISSUES/RESOLUTION	01-199-000-51100	159.92
BUBRICKS	BUBRICK'S COMPLETE OFFICE, INC	6 CRTNS COPY PAPER	01-199-000-55650	185.40
WIPFLI	WIPFLI LLP	INTERIM AUDIT 12/31/18	01-199-000-55150	3,000.00
WIPFLI		INTERIM AUDIT 12/31/18--SBU	01-199-000-55150	1,000.00
TOTAL				4,345.32
TOTAL GENERAL EXPENDITURES				4,345.32

POLICE DEPARTMENT

02208	BAYCOM INC.	SQUAD 40 COMPUTER DOCK MAINT	01-200-000-55500	95.00
20254	TIP TOP CLEANERS	LAUNDER SHIRTS/PORTER	01-200-000-56800	15.00
BUBRICKS	BUBRICK'S COMPLETE OFFICE, INC	ASSORTED SUPPLIES	01-200-000-51950	79.57
BUBRICKS		TISSUE	01-200-000-51950	22.09
TOTAL				211.66
TOTAL POLICE DEPARTMENT				211.66

POLICE DEPARTMENT/PATROL

01766	AURORA MEDICAL GROUP	PRE EMPLOY SCREEN/SCHMIDT	01-215-000-57100	163.00
04575	DOOR COUNTY HARDWARE	KEYS & S BINER	01-215-000-54999	10.07
04590	HUMANE SOCIETY	2019 2ND INSTALL ANIMAL CONTRL	01-215-000-55100	3,863.75
06592	FOX VALLEY TECHNICAL COLLEGE	PIT & FLD TRNG/DEIBELE	01-215-000-55600	450.00
06592		PIT TRNG/HAACK	01-215-000-55600	75.00
06592		PIT & FLD TRNG/SHWE	01-215-000-55600	450.00
14913	NORTHERN DOOR COMMUNICATIONS	SAMSUNG GALAXY ANDROID	01-215-000-58250	149.95
AXON	AXON ENTERPRISES, INC.	X26P TASER	01-215-000-51050	1,022.00
CUSTOM	CUSTOM SERVICE INFORMATION LLC	2019 ANNL POLICY UPDATE SVC	01-215-000-58999	500.00
GLOBALRE	GLOBAL RECOGNITION, INC	YRS OF SVC AWARD/S DELARWELLE	01-215-000-54999	121.91
NELSON	NELSON TACTICAL	UNIFORM BOOT & PANT/BILODEAU	01-215-000-52900	193.45
R0000608	AUTO ZONE, INC	WIPER BLADES/CSO VEHICLE	01-215-000-58600	25.99
TOTAL				7,025.12
TOTAL POLICE DEPARTMENT/PATROL				7,025.12

FIRE DEPARTMENT

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VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE

GENERAL FUND				
01765	ATLAS OUTFITTERS	ICE RESCUE EQUIP	01-250-000-51350	87.50
02005	BAY ELECTRONICS, INC.	EMERGENCY SIREN REPAIR	01-250-000-56250	536.50
02005		RADIO PARTS/REPAIR	01-250-000-57550	236.77
04696	DOOR COUNTY TREASURER	01/19 FUEL	01-250-000-51650	741.76
06012	FASTENAL COMPANY	LED LIGHT/TOGGLE BOLTS	01-250-000-54999	97.82
06650	GALLS, AN ARAMARK COMPANY	UNIFORMS	01-250-000-52900	91.98
23730	WPS	656 S OXFORD AVE-WS FIRE	01-250-000-56600	318.59
PAULCONW	PAUL CONWAY SHIELDS	CASCADE BOTTLE	01-250-000-51350	1,372.32
TOTAL				3,483.24
TOTAL FIRE DEPARTMENT				3,483.24
SNOW REMOVAL				
02835	BROOKS TRACTOR	HYDRAULIC OIL PAILS 7 @ 146.19	01-410-000-51400	1,023.33
02844	BRUCE MUNICIPAL EQUIPMENT INC	2 FLAT SPROCKETS 2 156.68 EA	01-410-000-51400	313.36
02844		1 SPROCKET	01-410-000-51400	229.23
02844		FREIGHT	01-410-000-51400	29.21
13655	MONROE TRUCK EQUIPMENT, INC	SNOW PLOW CYINDER	01-410-000-51400	287.45
13655		SHIPPING	01-410-000-51400	8.00
18945	S & R TRUCK CENTER, INC	PARTS-BEARINGS,SEALS,GEARS	01-410-000-51400	1,723.45
18945		8HR LABOR@ 70	01-410-000-51400	560.00
ADVAUTO	GENERAL PARTS DISTRIBTION LLC	DIGITAL DIAL CRIMPER	01-410-000-51400	481.65
R0000655	TRANSMOTION, LLC	3/4" #12 HOSE	01-410-000-51400	109.05
R0000655		1 BRITISH PIPE THREAD FITTING	01-410-000-51400	144.27
R0000655		1 JIC FEM FITTING	01-410-000-51400	42.16
TOTAL				4,951.16
TOTAL SNOW REMOVAL				4,951.16
STREET MACHINERY				
13150	MASTERCRAFT WELDING SYSTEM	DIAMOND PLATE	01-450-000-53000	199.00
13150		20' 1X1 TUBING	01-450-000-53000	45.00
13150		40' 1X2 TUBING	01-450-000-53000	136.00
13150		FLAT BAR	01-450-000-53000	51.00
ADVAUTO	GENERAL PARTS DISTRIBTION LLC	SEALED BEAM	01-450-000-52150	48.96
ADVAUTO		TRACTOR/UTL LAMP	01-450-000-52150	13.25
ADVAUTO		HYDAULIC FITTINGS	01-450-000-52150	20.52
ADVAUTO		BLADE GUIDE	01-450-000-52150	30.58
ADVAUTO		BLADE GUIDE	01-450-000-52150	15.29
ADVAUTO		COUPLERS/BLOW GUN	01-450-000-52150	43.52
ADVAUTO		OIL FILTER/ENGINE OIL	01-450-000-52150	45.93
ADVAUTO		COUPLER BODY	01-450-000-53000	6.29
ADVAUTO		CAPSULE	01-450-000-53000	7.43
ADVAUTO		OIL FILTERS,LUBE, FUEL	01-450-000-53000	88.98
ADVAUTO		COUPLER BODY	01-450-000-53000	5.39
ADVAUTO		HYDRAULIC HOSE	01-450-000-52150	792.00
ADVAUTO		SOC RAIL	01-450-000-52700	19.65
ADVAUTO		WIPER BLADE	01-450-000-53000	37.48
ADVAUTO		WIDE SADDLE BLADE	01-450-000-53000	40.04
ADVAUTO		DIESEL ADDITIVE	01-450-000-52150	132.36

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VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
PACKER	PACKER CITY TRUCKS, INC	3 ROCKER SWITCHES	01-450-000-53000	89.61
TOTAL				1,868.28
TOTAL STREET MACHINERY				1,868.28
CITY GARAGE				
06012	FASTENAL COMPANY	HARDWARE	01-460-000-54999	31.01
06012		HARDWARE	01-460-000-54999	14.55
06012		HARDWARE	01-460-000-54999	31.01
06012		HARDWARE	01-460-000-54999	30.75
23730	WPS	835 N 14TH AVE-CITY GARGAGE	01-460-000-56600	2,303.77
WARNER	WARNER-WEXEL WHOLESALE &	CASE PAPER TOWELS	01-460-000-54999	24.85
WARNER		CASE TOLIET PAPER	01-460-000-54999	43.39
TOTAL				2,479.33
TOTAL CITY GARAGE				2,479.33
PARK & RECREATION ADMIN				
BUBRICKS	BUBRICK'S COMPLETE OFFICE, INC	LABEL PRINTER W/LABELS	01-500-000-51950	83.58
TOTAL				83.58
TOTAL PARK & RECREATION ADMIN				83.58
PARKS AND PLAYGROUNDS				
19880	STURGEON BAY UTILITIES	RECEPTACLES -MARTIN PARK	01-510-000-54999	80.29
23730	WPS	335 S 14TH AVE-MEM FLD	01-510-000-56600	243.10
ADVAUTO	GENERAL PARTS DISTRICTION LLC	LED LIGHTS	01-510-000-51900	86.68
DELFOSSSE	KYLE DELFOSSSE	SAFETY CLOTHING-PANTS/DELFOSSSE	01-510-000-56800	36.91
DELFOSSSE		SAFETY BOOTS/DELFOSSSE	01-510-000-56800	181.46
O'REILLY	O'REILLY AUTO PARTS-FIRST CALL	SNOW BRUSH	01-510-000-52700	10.49
TOTAL				638.93
TOTAL PARKS AND PLAYGROUNDS				638.93
MUNICIPAL DOCKS				
23730	WPS	36 S NEENAH AVE-RESTROOM	01-550-000-56600	16.21
DIAMOND	DIAMOND BUSINESS GRAPHICS	LAUNCH PASS ENVELOPES	01-550-000-51600	1,553.25
DIAMOND		COMPOSITION FEE	01-550-000-51600	25.00
DIAMOND		SHIPPING/HANDLING	01-550-000-51600	89.64
TOTAL				1,684.10
TOTAL MUNICIPAL DOCKS				1,684.10

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INVOICES DUE ON/BEFORE 03/05/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
WATER WEED MANAGEMENT				
ADVAUTO	GENERAL PARTS DISTRIBUTION LLC	17PC MASTER SCREWDRIVER SET	01-560-000-51400	143.51
ADVAUTO		SHIPPING	01-560-000-51400	6.94
ADVAUTO		WIPER BLADES	01-560-000-51400	38.86
TOTAL				189.31
TOTAL WATER WEED MANAGEMENT				189.31
TOTAL GENERAL FUND				340,382.55
CAPITAL FUND				
PARKS AND PLAYGROUNDS				
EXPENSE				
07765	GRAINGER INC	RELAY W/DISPLAY	10-510-000-59075	322.03
07765		CABLE	10-510-000-59075	144.96
07765		MEMORY CARTRIDGE	10-510-000-59075	27.77
TOTAL EXPENSE				494.76
TOTAL PARKS AND PLAYGROUNDS				494.76
TOTAL CAPITAL FUND				494.76
CABLE TV				
CABLE TV / GENERAL				
CABLE TV / GENERAL				
04575	DOOR COUNTY HARDWARE	WIRE	21-000-000-51950	4.84
MANN	MANN COMMUNICATIONS, LLC	03.05.19 CONTRACT	21-000-000-55015	5,101.67
TOTAL CABLE TV / GENERAL				5,106.51
TOTAL CABLE TV / GENERAL				5,106.51
TOTAL CABLE TV				5,106.51
TID #2 DISTRICT				
TID DISTRICT #2				
TID #2 A AREA BONDS - DVL				
13170	BOARD OF COMMISSIONERS OF	03/19 TID 2 SPLLC	25-320-931-70000	1,867.17
13170		03/19 TID 2 SPLLC	25-320-931-70001	759.96
13170		03/19 TID 2 SPLLC	25-320-931-70000	8,546.27
13170		03/19 TID 2 SPLLC	25-320-931-70001	4,079.53
13170		03/19 TID 2 SPLLC	25-320-931-70000	4,319.96
13170		03/19 TID 2 SPLLC	25-320-931-70001	2,062.10
13170		03/19 TID 2 AMENDED	25-320-931-70000	24,925.65
13170		03/19 TID 2 AMENDED	25-320-931-70001	10,145.21
TOTAL TID #2 A AREA BONDS - DVL				56,705.85
TOTAL TID DISTRICT #2				56,705.85
TOTAL TID #2 DISTRICT				56,705.85

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INVOICES DUE ON/BEFORE 03/05/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE

TID #4 DISTRICT				
TID #4 DISTRICT				
TID #4 DISTRICT				
03950	DAVIS KUELTHAU	12/18 WRA LEGAL SVC	28-340-000-55001	140.00
03950		12/18 TID 4 LEGAL MATTERS	28-340-000-55001	3,304.00
PAPERBOY	THE PAPER BOY, LLC	POSTER DISTRIB/PLANNING MTG	28-340-000-55001	80.00
PULSE	PENINSULA PULSE	PLANNING MTG ADVERTISEMENT	28-340-000-55001	518.40
STAFFORD	STAFFORD ROSENBAUM LLP	12/18 TID 4 LEGAL MATTERS	28-340-000-55001	1,595.00
TOTAL TID #4 DISTRICT				5,637.40
TOTAL TID #4 DISTRICT				5,637.40
TOTAL TID #4 DISTRICT				5,637.40
SOLID WASTE ENTERPRISE				
SOLID WASTE ENTERPRISE FUND				
SOLID WASTE ENTERPRISE FUND				
ADVAUTO	GENERAL PARTS DISTRIBUTION LLC	DIGITAL DIAL CRIMPER	60-000-000-52850	481.64
ADVAUTO		HALOGEN SEALED BEAM	60-000-000-53000	13.70
ADVAUTO		HYDRAULIC HOSE	60-000-000-53000	792.00
TOTAL SOLID WASTE ENTERPRISE FUND				1,287.34
TOTAL SOLID WASTE ENTERPRISE FUND				1,287.34
TOTAL SOLID WASTE ENTERPRISE				1,287.34
TOTAL ALL FUNDS				409,614.41

MANUAL CHECKS

HARRIS COMPUTER SYSTEMS	\$10,201.33
02/15/19	
Check # 84717	
2019 Financial Software Contract Renewal	
01-125-000-55550	
DOOR COUNTY TREASURER	\$1,232,510.44
02/18/19	
Check # 84718	
02/19 Tax Settlement	
01-000-000-24212	
NWTC –GREEN BAY	\$243,042.65
02/18/19	
Check #84719	
02/19 Tax Settlement	
01-000-000-24640	
SEVASTOPOL SCHOOL DISTRICT	\$69,157.96
02/18/19	
Check # 84720	
02/19 Tax Settlement	
01-000-000-24630	
SOUTHERN DOOR SCHOOL DISTRICT	\$144,220.05
02/18/19	
Check #84721	
02/19 Tax Settlement	
01-000-000-24620	
STURGEON BAY SCHOOL DISTRICT	\$2,848,883.95
02/18/19	
Check # 84722	
02/19 Tax Settlement	
01-000-000-24610	
SECURIAN FINANCIAL GROUP	\$1,985.56
02/18/19	
Check # 84723	
03/19 Life Insurance	
01-600-000-50510	
EBC CORP.	\$1,240.00
02/18/19	
Check # 84724	
11/18 & 12/18 Renewal/Fees	
01/19 & 02/19 Fees	
01-600-000-50510	

SUN LIFE INSURANCE	\$1,781.09
02/18/19	
Check # 84725	
03/19 Short/Long Term Disability	
01-000-000-21545	
 SUPERIOR VISION INSURANCE	 \$844.59
02/18/19	
Check # 84726	
03/19 Vision Insurance	
01-000-000-21540	
 WISCONSIN DEPT OF WORKFORCE DEVELOPMENT	 \$139.32
02/19/19	
Check #84727	
01/19 Unemployment	
01-600-000-50370	
 SOUTHERN DOOR SCHOOL DISTRICT	 \$215.54
02/25/19	
Check #84794	
12/18 Mobile Home Tax Payment	
01-000-000-41300	
 STURGEON BAY SCHOOLS	 \$3,512.19
02/25/19	
Check #84795	
01/19 Mobile Home Tax Payment	
01-000-000-41300	
 DOOR COUNTY TREASURER	 \$741.27
02/18/19	
Check # 84797	
02/19 DNR Pilt	
01-000-000-24212	
 NWTC –GREEN BAY	 \$146.15
02/18/19	
Check #84798	
02/19 DNR Pilt	
01-000-000-24640	
 STURGEON BAY SCHOOLS	 \$1,893.73
02/25/19	
Check #84799	
02/19 DNR Pilt	
01-000-000-41300	
 TOTAL MANUAL CHECKS	 \$4,560,515.82

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SUMMARY OF FUNDS:

GENERAL FUND
CAPITAL FUND
CABLE TV
TID #2 DISTRICT
TID #4 DISTRICT
SOLID WASTE ENTERPRISE

~~340,382.55~~
494.76
5,106.51
56,705.85
5,637.40
1,287.34

4900,898.37

TOTAL --- ALL FUNDS

~~409,614.41~~

4,970,130.23

Deed J Ward 2/26/19
Frank Allen 2/26/19
Seth Wimmer 2/26/19

COMMON COUNCIL
February 19, 2019

A regular meeting of the Common Council was called to order at 7:02 pm by Mayor Birmingham. The Pledge of Allegiance was recited. Roll call: Catarozoli, Hayes, Ward, Avenson, Allmann, Wiederanders and Hauser were present.

Ward/Hauser to adopt agenda by removing item 7b6 from the consent agenda and placing it at 8a. Carried.

Anni Lampert, 33 N Joliet Avenue; Chris Kellems, 120 Alabama Street; Scott Moore, 947 Pennsylvania Street spoke during public comment.

Ward/Allmann to approve following bills: General Fund - \$192,175.89, Capital Fund - \$86,371.59, Cable TV - \$15,029.00, TID #4 - \$145.04 and Solid Waste Enterprise Fund - \$16,655.01 for a grand total of \$310,376.53. Roll call: All voted aye. Carried.

Ward/Catarozoli to approve consent agenda:

- a. Approval of 2/5/19 regular Common Council minutes.
- b. Approval of the following minutes:
 - (1) Ad Hoc West Waterfront Planning Committee – 1/22/19
 - (2) Ad Hoc West Waterfront Planning Committee – 1/22/19
 - (3) Ad Hoc West Waterfront Planning Committee – 1/23/19
 - (4) Ad Hoc West Waterfront Planning Committee – 1/24/19
 - (5) ~~Waterfront Redevelopment Authority—1/24/19~~ Moved to regular agenda
 - (6) Finance/Purchasing & Building Committee – 1/29/19
- c. Place the following reports on file:
 - (1) Police Department Report – January 2019
- d. Consideration of: Approval of beverage operator license.
- e. Consideration of: Approval of Class A Beer and Class A Liquor license for Cherryland Shell LLC.
- f. Finance/Purchasing & Building Committee recommendation re: Approve the one year 2020 Fire Protection Service Agreement extension with the Town of Sevastopol.

Carried.

There were no mayoral appointments.

Aldersperson Avenson was concerned if the Waterfront Redevelopment Authority meeting was appropriate since it has already been dissolved. Attorney Kalny replied that the Chair has the authority to call a meeting for action they are involved in prior to being dissolved. Avenson/Catarozoli to table approval of Waterfront Redevelopment Authority minutes from 1/24/19 until Council has clarification from Attorney Kalny if minutes can be approved. Carried with Ward voting no.

Hauser/Catarozoli to read in title only and adopt the second reading of the ordinance re: Repeal and recreate Section 20.27(2) of the Municipal Code – Zoning Code – building height for historic structures. Carried.

Hauser/Catarozoli to read in title only and adopt the second reading of the ordinance re: Repealing and recreating Section 20.03 of the Municipal Code and creating Sections 20.10(2)(c), 20.11(2)(d), 20.12(2)(l), 20.175(2)(p), 20.22(2)(m) of the Municipal Code – Accessory Dwelling Units. Allmann/Wiederanders to amend Section 20.10(2)(c)(11)(a) to read as follows: The accessory dwelling unit shall be subject to the requirements of section 20.29 Accessory building height and area regulations, except the minimum side in rear yards shall be 10 feet for new construction. Discussion led that the extra feet would help prevent flooding and other issues. Vote taken on amendment, carried with Ward voting no. Vote taken on amended motion. Carried with Ward and Allmann voting no.

City Engineer Shefchik stated that out of the six bids that were received for Project 1901, Peters Concrete Company was the low bidder. Catarozoli/Avenson to award the Contract for Project 1901 (Georgia Street, S Kendale Ave & N 3rd Ave Reconstruction Projects) to Peters Concrete Company with unit pricing amounts totaling an estimated cost of \$479,368.68. Carried.

Hauser introduced the resolution for National Estuarine Research Reserve (NERR). DCEDC Executive Director Jim Schuessler explained that having a NERR site in Sturgeon Bay would have a huge economic impact for the community. Caitlin Oleson, Project Manager for WI Coastal Management Program explained that central Door County is one of three locations being considered for a NERR facility site for studying watershed into the Bay of Green Bay. University of Wisconsin – Green Bay would be the beneficiary of the grant from NOAA if selected. Hauser/Ward to accept resolution in support of a National Estuarine Research Reserve. Carried.

Ward/Allmann to accept resolution authorizing the submittal of a Community Development Investment Grant Application for the Door County Maritime Museum's Maritime Lighthouse Tower Project. Kevin Osgood, Door County Maritime Museum Executive Director and Sam Perlman, Deputy Director & Development Manager explained that the City would be the applicant for the CDI grant in behalf of the DCMM. Prior to DCMM submitting the grant, the City must adopt a resolution authorizing the submittal. Discussion led to whether the DCMM needs to obtain a land lease. Avenson/Catarozoli to amend that prior to approval, City needs to confirm whether a land lease is needed to build the maritime tower. Mr. Perlman stated if approved, the grant will reimburse up to \$250,000 for expenses on the construction of the ten story tower addition for the DCMM. If land lease is needed, construction will be delayed. Avenson/Catarozoli called for the question. Carried. Roll call taken on amendment. Avenson voted aye. Catarozoli, Hayes, Ward, Allmann, Wiederanders and Hauser voted no. Motion fails. Vote taken on original motion. Carried with Catarozoli and Avenson voting no.

City Administer VanLieshout explained that a group of citizens are challenging the DNR's most recent decision on the ordinary high water mark for 92 E Maple Street.

Catarozoli/Hauser moved to join the WI DNR in defense of the DNR's decision. If the City joins, it was suggested to retain Attorney Paul Kent as special counsel. The City could chose not to join and write a letter of support, such as an amicus brief. Hayes to amend to have the City Attorney check into the process of doing an amicus briefing. Motion withdrawn. Roll call taken on motion. Catarozoli, Avenson and Hauser vote aye. Hayes, Ward, Allmann and Wiederanders vote no. Motion fails. Catarozoli/Allmann move for the City of Sturgeon Bay to send a letter to the court in support of WI DNR decision and reaffirm action with Friends of the Sturgeon Bay Public Waterfront in agreement with ordinary high water mark. Carried with Ward voting no.

City Administrator VanLieshout gave a brief update that progress was being made with the Development Agreement between City of Sturgeon Bay and Sturgeon Bay Historical Society Foundation, Inc. for Teweles & Bradeis Granary.

Ald. Hauser requested the appropriate committee to explore how the City is addressing affordable housing.

City Administrator VanLieshout gave his report.

Personnel Committee chair Ward, Parking & Traffic Committee chair Catarozoli, Community Protection & Services Committee chair Allmann and Utility Commission member Ward presented reports for their respective committees/commissions.

The Mayor made his comments.

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

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

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

Roll call: All voted aye. Carried. The meeting moved to closed session at 8:54 pm.

Meeting moved into open session at 11:31 pm to make a motion pertaining to dismissing Friends of Sturgeon Bay Public Waterfront v. City of Sturgeon Bay and Waterfront Redevelopment Authority of the City of Sturgeon Bay. Catarozoli/Hauser to direct counsel to take such actions as necessary to withdraw the appeal of the

Friends of Sturgeon Bay Public Waterfront v. City of Sturgeon Bay and Waterfront
Redevelopment Authority case 16-CV-23 (Court of Appeals Case 2017AP800). Roll
call: Carried with Ward voting no.

Catarozoli/Avenson to adjourn. Carried. Meeting adjourned at 11:48 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

COMMUNITY PROTECTION & SERVICES COMMITTEE**February 14, 2019**

A meeting of the Community Protection & Services Committee was called to order at 4:30 p.m. by Chairperson Allmann in the Council Chambers, City Hall. **Roll Call:** Members Ms. Allmann, Ms. Catarozoli and Mr. Wiederanders were present. City staff present included City Administrator Josh VanLieshout, Chief Arleigh Porter, Jim Stawicki, Marty Olejniczak and Chris Sullivan-Robinson.

Moved by Ms. Catarozoli, seconded by Mr. Wiederanders to adopt the following agenda:

1. Roll call
2. Adoption of agenda
3. Consideration of: creating an ordinance prohibiting minors from vaping
4. Discussion of: codes for sustainability for new builds
5. Consideration of: creating a policy to include public comment on all agendas for agenda/non-agenda items at the beginning of each meeting
6. Discussion of: format for resolutions
7. Discussion of: short-term rentals and Air BnB's
8. Public Comment on Non-Agenda Items
9. Adjourn

Vaping Ordinance

Chief Porter discussed the potential need/want for an ordinance prohibiting minors from using vaping devices. Locally, it is becoming a problem in area schools. Information was given to the committee members to review, along with an ordinance sample from the City of Neenah. Chief Porter would ask Attorney Jon Pinkert for assistance in writing the ordinance, as he would be the one defending it in court.

Ms. Allmann questioned if the schools educate on the harmfulness of vaping; Chief Porter responded they do the best they can, but it is still problematic.

Ms. Catarozoli asked if the City currently had an ordinance banning indoor use of vaping materials; Chief Porter stated there was not one. Ms. Catarozoli suggested maybe looking to create an ordinance not allowing indoor use only. Mr. VanLieshout agreed that people who do not wish to be in contact with second hand vapors are

considered. He stated whether the committee agrees or does not agree this is an issue needs to be decided first.

Ms. Allmann would like to take more time to read over the packet of information given by Chief Porter to get more educated, and would like to bring it back to the Committee to discuss further.

Codes for Sustainability for New Builds

Mr. Olejniczak explained this item was brought forth by Alderperson Avenson; he did not have specifics to add. He agrees there are better ways to build; education is key and incentives work.

Jim Stawicki from Sturgeon Bay Utilities spoke on Home Energy Assessments; which are beneficial. He stated SBU is looking to program with people to use these assessments to help subsidize utility costs. It would not only be an advantage to homeowners, but landlord/tenant dwellings as well.

Contributing comments were made by Chris Kellems, 120 Alabama Street.

Public Comment on Agendas

Ms. Allmann explained this item was brought forth by Alderperson Avenson, as there was a question on what committees are not doing this. She stated using an open conversation during the meeting with anyone present is how she prefers to run meetings. Understands, though, when it comes to Council meetings a different approach is needed.

Contributing comments were made by Scott Moore, 947 Pennsylvania Street and Chris Kellems, 120 Alabama Street.

Discussion on how the Common Council meeting is run took place. The Mayor creates the rules of how a meeting is conducted. Ms. Catarozoli questioned how much power the Council had to override the Mayor's rules?

Mr. VanLieshout was unsure if the Council can dictate to the Mayor on how to run the meeting. He cautions the committee on collection of non-agenda items. Phone calls to Alderpersons are the best way to get an item discussed.

Ms. Allmann asked if the collection of slips can be looked into. Change when and how they can be collected. It was brought up to throw the slips into a hat and pick by lottery; or put out a suggestion box.

Ultimately, it was decided to move on from the item, and bring back for discussion another time if need be.

Format for Resolutions

Mr. Wiederanders requested lines be numbered, where applicable, on all Resolutions to make it easier when discussing and making changes.

All agreed.

Short-term Rentals

Mr. Wiederanders expressed the concern of one of his constituents regarding short-term rentals and "Air B&B's" cutting into her lodging business.

Mr. Olejniczak explained the permit process for Tourist Rooming Houses. Initially the State issues a 2-year license after all materials are inspected. The initial license cost in Sturgeon Bay is \$50 for one year; \$25 for a renewal. This is low compared to other communities.

The fee was discussed. It was set to be measurable to staff time and service rendered, such as covering the cost of administering local ordinances. Initially, a Tourist Rooming House permit has a checklist of items that need completion. The renewal simply verifies the initial checklist. The State certificate is required as well, but there is not an inspection report at renewal.

The Committee asked staff to re-evaluate time and services rendered, and come up with a new cost to bring before the Finance Committee.

Moved by Ms. Catarozoli, seconded by Mr. Wiederanders to recommend to the Finance Committee to re-evaluate the fees for permits for Tourist Rooming Houses. All ayes. Carried.

Public Comment on Non-Agenda Items

No public comment.

Moved by Ms. Catarozoli, seconded by Mr. Wiederanders, to adjourn the meeting of the Community Protection Services Committee. All ayes. Carried. The meeting was adjourned at 6:07p.m.

Respectfully submitted,



Sarah Spude-Olson
Police Department
Administrative Office Manager

FINANCE/PURCHASING & BUILDING COMMITTEE
February 19, 2019

A meeting of the Finance/Purchasing & Building Committee was called to order at 5:00pm by Chairperson Ward in the Council Chambers, City Hall. Roll call: Alderpersons Ward, Allmann and Wiederanders were present. Also present: City Administrator Van Lieshout, Finance Director/City Treasurer Clarizio, and Receptionist Metzger.

A motion was made by Alderperson Allmann, 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. Presentation of: Door County Housing analysis by Jim Schuessler (DCEDC)
5. Consideration of: Pre-Annexation agreement for Duquaine Development-W. Oak St. (Sawyer Dr.)
6. Consideration of: Right of first refusal to purchase portion of Peil parcel located at 1116 Egg Harbor Rd.
7. Consideration of: Former Simon Parcel at 1048 Egg Harbor Rd.
8. Consideration of: Review of City Owned Exempt Properties
9. Convene in closed session in accordance with the following exemptions:

Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Wis. Stats. 1985(1)(e)

- a. Consideration of: Pre-Annexation agreement for Duquaine Development-W. Oak St. (Sawyer Dr.)
- b. Consideration of: Right of first refusal to purchase portion of Peil parcel located at 1116 Egg Harbor Rd.
- c. Consideration of: Former Simon Property at 1048 Egg Harbor Rd.

Moved to reconvene in open session to take formal action upon preceding subject of closed session, if appropriate: or to conduct discussion or give further consideration where the subject is not appropriate for closed session consideration.

10. Review bills.
11. Adjourn.

Presentation of: Door County Housing Analysis by Jim Schuessler (DCEDC)

Door County Economic Development Executive Director Jim Schuessler presented a power point presentation highlighting the recently completed Door County Housing analysis. Mr. Schuessler focused the presentation on the Central Door County area, touching on factors that are driving housing demand, such as, the job market, more single parent families, buying habits and price increases of building materials. In addition, the analysis highlights types of housing needed such as senior, renter and seasonal.

Consideration of: Pre-Annexation agreement for Duquaine Development-W. Oak St (Sawyer Dr.):

Community Development Director Olejniczak stated that a specific pre-annexation agreement with Duquaine Development Inc. has been drafted and reviewed. Duquaine had issue with the \$300 per unit

park and playground fees. Mr. Olejniczak explained that the development is in the Town of Nasewaupee, which does not require this fee but because the property is going to be annexed and serviced by the City the fee was included in the agreement. Mr. Duquaine is requesting that for phase 1 the fee is reduced to \$150 per unit, and \$300 for phase 2 & 3. Mr. Olejniczak stated the other issue to clarify in the agreement is that the City cannot annex the entire property which would create a town island. The City will need to require that the property be split so the annexation is valid. In addition, the agreement should also allow the City the ability to require the inclusion of other parcels to be annexed, if desired.

Moved by Alderperson Ward, seconded by Alderperson Allmann to recommend to Common Council to approve the pre-annexation agreement with Duquaine Development, Inc. with the stipulations that park fees for phase 1 would be \$150.00 per unit and the boundaries for the annexation agreement are approved by the City. Carried.

Consideration of: Right of first refusal to purchase portion of Peil parcel located at 1116 Egg Harbor Rd.

Community Development Director Olejniczak stated the City purchased the former Simon parcel from the County thru tax foreclosure. The Peil property abutting this parcel has been for sale for quite a while. The park and recreation board has been researching the option of turning the back 5 acre portion of the Peil property into an urban park, if this happens the former Simon parcel would be the access into the park. The City previously contacted the Peil family regarding the option of right of first refusal, at that time the family declined the offer. The Peil family is now interested in working with the City they are offering the right of first refusal on the back 5 acres in exchange for a permanent access easement thru the former Simon parcel and requesting permission for signage placement on the easement fronting Egg Harbor Road. Mr. Olejniczak explained that this option could hinder the potential use of the former Simon parcel as it would lock up the parcel as an easement. The Committee continued discussions regarding the access and use of the property. No action was taken.

Consideration of: Former Simon Parcel at 1048 Egg Harbor Rd.

The consensus of the Committee was to hold on the property review until more information is known regarding the Peil property. No action was taken.

Consideration of: Review of City Owned Exempt Properties:

The Committee reviewed the listing of exempt properties currently owned by the City. No action was taken.

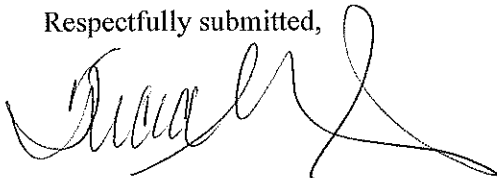
The Committee did not move into closed session.

Review bills

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

Moved by Alderperson Allmann, seconded by Alderperson Wiederanders to adjourn. Carried. The meeting adjourned at 6:21pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tricia Metzger', with a large, stylized flourish at the end.

Tricia Metzger

CITY PLAN COMMISSION
Wednesday, February 20, 2019

A meeting of the City Plan Commission was called to order at 6:00 p.m. by Acting Chairperson Dennis Statz in the Council Chambers, City Hall, 421 Michigan Street.

Roll Call: Members Steven Hurley, Dennis Statz, Jeff Norland, and Laurel Hauser were present. Excused: Member Mike Gilson. Also present were Alderpersons Kelly Catarozoli and David Hayes, City Administrator Josh Van Lieshout, Community Development Director Marty Olejniczak, Planner/Zoning Administrator Chris Sullivan-Robinson, and Community Development Secretary Cheryl Nault.

Adoption of the Agenda: Moved by Mr. Norland, seconded by Mr. Hurley to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from January 16, 2019.
4. Consideration of: Zoning text amendments regarding accessory building setbacks.
5. Consideration of: Zoning text amendments regarding height of accessory buildings.
6. Consideration of: Memorial Drive zoning restrictions and pedestrian access.
7. Consideration of: Tourist rooming houses.
8. Public comment on non-agenda Plan Commission related items.
9. Adjourn

Carried.

Approval of minutes from January 16, 2019: Moved by Ms. Hauser, seconded by Mr. Hurley to approve the minutes from January 16, 2019. All ayes. Carried.

Consideration of: Zoning text amendments regarding accessory building setbacks: Mr. Sullivan-Robinson stated that at the last Plan Commission meeting this item was reviewed and debated whether or not a setback should be created for accessory dwelling units based on lot width. A motion was made to approve that anything equal to or above 135 feet wide would have an increased setback of a 10-foot side yard and 10-foot rear yard. The motion failed on a tie vote. He also mentioned that the Council adopted the ordinance for the accessory dwelling units with an amendment to require minimum 10-foot side and rear yard for new construction.

Mr. Sullivan-Robinson offered options of looking at this item again, create a new setback, or table this item.

Mr. Norland suggested to amend the ordinance to include all accessory buildings to a 10-foot setback. If an accessory building would later convert to an accessory dwelling unit, it would then comply.

Mr. Olejniczak added that a minimum size for an accessory dwelling unit is 250 square-feet and the maximum size is 800 square-feet. He mentioned that the Plan Commission could recommend that the Council amend the accessory dwelling unit ordinance to base the required 10-foot setback on buildings constructed after the date of ordinance rather than "new construction". It would be easier to enforce if it were all at 5 feet or 10 feet.

Discussion continued. Moved by Ms. Hauser, seconded by Mr. Norland to recommend to Council that any new construction over 250 square feet would need to have a 10-foot setback. If it gets converted to an accessory dwelling unit in the future, it will comply.

Mr. Statz stated that he has somewhat of a concern since there are so many small lots in the City. He prefers that lots under 135 feet wide would have a 5-foot setback. If someone built a structure at a 5-foot setback and decided later on to convert it to an accessory dwelling unit, the language should be cleaned up to include an existing structure as of a certain date.

Ms. Hauser withdrew her motion, along with Mr. Norland's second.

Moved by Ms. Hauser, seconded by Mr. Statz to recommend to Council to amend the accessory dwelling unit ordinance to require any accessory dwelling unit in a detached building have a setback of 10 feet if the building was constructed after April 1, 2019. All ayes. Carried.

Moved by Ms. Hauser, seconded by Mr. Statz to leave the current setbacks as is for accessory buildings. All ayes. Carried.

Consideration of: Zoning text amendment regarding height of accessory buildings: Mr. Sullivan-Robinson stated that staff wanted the Plan Commission to re-affirm the recommendation to Council that was made several months ago regarding the accessory building height code text amendment. It was never sent to Council because staff was told to wait until the Commission finished reviewing the accessory building setbacks.

Moved by Mr. Statz, seconded by Mr. Norland to recommend to Council the text amendments previously recommended regarding the height of an accessory building. All ayes. Carried.

Consideration of: Memorial Drive zoning restrictions and pedestrian access: Mr. Sullivan-Robinson stated that Alderperson Catarozoli requested that this item be added to a Plan Commission agenda. She wondered if the City would be interested in the construction of a pedestrian path for the section of property along Memorial Drive from 8th Avenue to Utopia Circle. This section of land is restricted by a zoning ordinance which states that nothing can be built on that side of the street or to plant trees. There is to be a clear vision path to the water. That section is also restricted by an easement from the 1930's. There has been uncertainty what rights the City has in this area under the easement. The City Attorney believes the City would have the right to put in the path, but additional investigation was needed to ensure it was done right. Staff is looking for direction at this time to see if the Plan Commission wants to take up this issue. He noted the public right-of-way for Memorial Drive is approximately 8-10 feet beyond the curb. The property owners across the street own the land waterward of that.

Ms. Catarozoli stated that this item came up when a resident had asked about constructing a firepit on the property and Ms. Catarozoli wondered why that had to be approved, as well as why the City cuts the grass along Memorial Drive. She started looking into this as well as the possibility of putting in an off-road multi-modal path. She reported on the information she found. She believed this area used to be public property and would like clarity on that. She would like the zoning ordinance changed so the public can again use that space as intended by the easement. She would also like to move forward with planning for a multi-modal path. This is part of the County's bike loop for Sturgeon Bay.

Mr. Olejniczak stated that in 1977 the City amended its zoning regulations for Memorial Drive to specifically state that physical use of the property is limited for the property owners and their invited guests. The area is currently treated as a scenic easement.

Ms. Catarozoli said that it would be an amazing benefit for the City to have a path along that area. Maybe the street could be narrowed. There should be clarification on the grass mowing.

Mr. Olejniczak pointed out that there are two issues that could be considered. The first is the rights and responsibilities of the City under the recorded easement, and the City's zoning restrictions. The second issue is the pedestrian/bicycle access along this stretch. A waterfront pedestrian loop is in the Comprehensive Plan. So, the Plan Commission could look into this issue and consider option such as whether the sidewalk should be extended on the water side or whether the curb could be brought in and a path put in where the current parking lane is. He said that it had been suggested to paint a line on the water side and restrict the parking on that side of the street. Another option was to add sidewalk from 15th Avenue to Utopia Circle.

Jon Gast, 936 Memorial Drive, stated that he lived there for 20 years. Part of the reason the City cuts the grass is so it is continuous and looks nice. All the grass is cut at once. He stated that he has had no problem with the public accessing that area in the past.

Alderman David Hayes, 111S 7th Avenue, stated that he talked with owners along Memorial Drive. There needs to be clarity on the easement. Property owners do not have a problem with a multi-modal path within the current street right-of-way, but do not want any green space taken away. Possibly benches could be installed for people to enjoy the view. There has been a lot of confusion on the easement. It has not been consistent.

Mr. Statz asked the Commission members how they wanted to proceed.

Mr. Norland suggested extending the sidewalk between 15th Avenue and Utopia Circle to eliminate the missing link. A line should be striped on the water side of the street for a bike path, with no parking.

Ms. Hauser mentioned a grand promenade could add value to the homes and is the long-term vision. The Bike & Ped Committee should take a look at this.

Moved by Ms. Hauser, seconded by Mr. Statz to recommend to the Bike & Pedestrian Advisory Board to research and come forward with options for a multi-modal path along Memorial Drive and connect to the rest of the bike path.

Attorney Jim Smith of the Pinkert Law Firm stated he was representing a property owner. He pointed out that the subject land is private property that owners pay taxes on. Trying to establish a multi-modal path could cause some legal issues. Doing something with the property that is contrary to the easements, the City would be treading on eminent domain, which cannot be used to obtain land for a bike path under Wisconsin law. He thought the issue could be resolved within the current road. He didn't see a problem with putting a bench here and there, but if the City tries to use the green space, it could create legal issues for the City. He suggested to get a better legal opinion from the City Attorney.

Mr. Norland reiterated that the City can extend the sidewalk and put a bike path along the curb without spending a lot of money.

A vote was taken on the motion. Carried, with Mr. Norland voting no.

Consideration of: Tourist rooming houses: Mr. Olejniczak stated that the ordinance was changed approximately three years ago to open up single-family homes to be rented on a short-

term basis. Prior to that, the City was the only community in Door County that restricted rental periods to 30 days or longer. Staff thought it was time to assess how things were going. A letter was received from an existing lodging establishment expressing concerns. Other calls have been taken also expressing their concerns. Mr. Sullivan-Robinson checked to see where the current licenses are located and what they were used for before or if they were purchased specifically for a tourist rooming house. It was also pointed out that after the City amended its code to allow the tourist rooming houses, the State adopted a law that restricts municipalities from limiting short-term rentals. It can be restricted to a weekly rental, but you can no longer prohibit short-term rentals completely. The period that units can be used for short-term rentals can also be restricted to half of the year.

Mr. Sullivan-Robinson stated that the tourist rooming houses are pretty evenly dispersed all over the City. There are currently 41 tourist rooming houses as of today. Of those 41, 18 were previously owner-occupied. Twenty of those were renter occupied. It is believed that 18 were recently purchased with the intent for a short-term rental. Thirty-four are used year round and seven only used a couple of months out of the year.

The Community Protection & Services Committee recently reviewed the TRH issue and has recommended an increase the fee of the permit because there are multiple City departments that review a permit.

Mr. Olejniczak explained that if the Plan Commission felt that tourist rooming houses were creating a problem, the minimum rental period could be restricted to 7 days. To deal with existing licensed tourist rooming houses, the weekly rental restriction could be enforced after a license expires.

Melaniejane, 30 N 1st Avenue, stated that we are in a unique community. Short-term rentals keep expanding and there are no long-term rentals anymore. Property values are going up.

Mr. Van Lieshout stated that county-wide short-term rentals are increasing. There are about 1200 total, along with cottages, homes, etc. From a trend perspective, it is a fluid, dynamic process. The Door County Tourism Commission cannot regulate the marketplace. Their job is to make sure the lodging tax is equitably collected and equitably distributed under the law.

Ms. Hauser suggested holding a public hearing to hear what the community thinks about tourist rooming houses.

Mr. Statz would like to form a study group to come up with ideas and options and bring it back to Plan Commission.

Mr. Olejniczak offered options that included doing nothing and continue to wait and see what happens with the TRH's and continue to revisit the issue annually; make ordinance changes; or have public hearings and study groups.

It was the consensus of the Commission to put together a task force including 3-4 people, and come up with ideas. Mr. Statz would like to begin meeting next week. Melaniejane agreed to be part of the task force.

Public comment on non-agenda Plan Commission related items: Paul Anschutz, 221 N 6th Avenue, spoke concerning a multimodal path on Memorial Drive. The street should be narrowed since property cannot be taken away from the easement.

Following public comment and prior to adjournment, Mr. Olejniczak requested that the Commission go back to Item #5 **Consideration of: Zoning text amendment regarding height of accessory buildings**. He explained that the proposed ordinance in their packet was not the correct version of what was approved previously by the Commission. He passed out the correct proposed ordinance and requested that the Commission verify that their earlier motion to recommend adoption was still their desire now that they see the actual proposed ordinance. After reviewing the correct ordinance, the Commission by consensus agreed that their motion to recommend approval of the ordinance amendment was still valid.

Adjourn: Moved by Mr. Norland, seconded by Ms. Hauser to adjourn. All ayes. Carried. Meeting adjourned at 7:45 p.m.

Respectfully Submitted,



Cheryl Nault

Community Development/Building Inspection Secretary

POLICE AND FIRE COMMISSION
February 21, 2019

A meeting of the Police and Fire Commission was called to order at 2:00 p.m. by Commissioner Dave Poulton, in the Closed Session Room at the Sturgeon Bay Municipal Building.

Roll Call: Commission members Dave Poulton, Sandy Hurley, Wayne Spritka, Michael VanDyke, and Barbara Herdina were present. Also present was Police Chief Porter and Police Captain Brinkman.

Adoption of Agenda:

Moved by Commissioner VanDyke, seconded by Commissioner Hurley to accept the agenda as is. All in favor. Motion Carried.

Approval of Minutes:

Moved by Commissioner Herdina, seconded by Commissioner Hurley to approve the minutes from the January 3, 2019 meeting. All in favor. Motion Carried.

Consideration of: Sergeant of Police Position:

Police Chief Porter explained the resignation of a Sergeant and needing to fill the position. Chief Porter requested following the same hiring process to the Committee with updating the dates. Chief Porter explained a firm was used for the written testing and would recommend using them again.

Convene in Closed Session:

Moved by Commissioner Spritka, seconded by Commissioner VanDyke to convene in closed session in accordance with the following exemption:

Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Wis. Stats. 19.85(1)(c)

Discussion of: Scheduling process, testing, and interviews for the Sergeant of Police position.

All in favor. Motion Carried. Roll call: Dave Poulton, Sandy Hurley, Wayne Spritka, Michael VanDyke, and Barbara Herdina were present.

Reconvene in Open Session:

Moved by Commissioner VanDyke, seconded by Commissioner Hurley to reconvene in open session and take formal action. All in favor. Motion carried. Roll call: Dave Poulton, Sandy Hurley, Wayne Spritka, Michael VanDyke, and Barbara Herdina were present.

Motion by Commissioner Herdina to accept the promotional procedure provided in the meeting, seconded by Commissioner Hurley.

Set Date for Next meeting:

A day during the week of May 6th.

Adjourn:

Moved by Commissioner Hurley, seconded by Commissioner Herdina to adjourn. All in favor. Motion carried. Time of 2: 16 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Candy Jeanquart". The script is cursive and fluid.

Candy Jeanquart
SBPD Police Assistant



Kalin Montevideo
Assistant Fire Chief

CITY of STURGEON BAY FIRE DEPARTMENT

421 Michigan St
Sturgeon Bay, WI 54235

920-746-2916 Station 920-746-2448 Office
920-746-6901 FAX
Email: kmontevideo@sturgeonbaywi.org

STURGEON BAY FIRE DEPARTMENT JANUARY 2019 FIRE REPORT

JANUARY INCIDENTS: 116
YEAR TO DATE INCIDENTS: 116

INCIDENTS BY JURISTDICTION:

CITY - East Side: 82 Year to Date: 82

69 – Medical Incident
01 – Smoke Scare/Odor of Smoke
05 – Alarm/Detector Activation, No Fire
01 – Cooking Fire
01 – Unauthorized Burning

CITY - West Side: 22 Year to Date: 22

18 – Medical Incident
01 – Alarm/Detector Activation, No Fire

Town of Sevastopol: 07 Year to Date: 07

01 – Structure Fire
02 – Vehicle Accident
01 – Medical Incident

Town of Sturgeon Bay: 04 Year to Date: 04

03 – Medical Incident

AVERAGE RESPONSE TIME:

EMERGENT: 4.22 Minutes NON-EMERGENT: 4.50 Minutes

01 – Carbon Monoxide Incident
02 – Vehicle Accident
01 – Assist Police or Government Agency
01 – HazMat Incident

EMERGENT: 4.11 Minutes NON-EMERGENT: 4.19 Minutes
03 – Vehicle Accident

EMERGENT: 10.57 Minutes NON-EMERGENT: 11.4 Minutes
02 – Assist Police or Government Agency
01 – Carbon Monoxide Incident

EMERGENT: 7.25 Minutes NON-EMERGENT: N/A
01 – Carbon Monoxide Incident

MUTUAL AID/MABAS INCIDENTS

Gibraltar: 01 Year to Date: 01
01 – Structure Fire

INPECTION REPORT:

Inspections – City of Sturgeon Bay:	<u>73 Inspections</u>	<u>61.0 Hours</u>
Inspections – Town of Sevastopol:	<u>08 Inspections</u>	<u>9.5 Hours</u>
Inspections – Town of Sturgeon Bay:	<u>01 Inspections</u>	<u>1.0 Hours</u>
Inspections – Town of Jacksonport:	<u>0 Inspections</u>	<u>0 Hours</u>

SPECIAL REPORTS, TRAINING AND MAINTENANCE

MAINTENANCE:

Firefighters repaired the passenger side step on Brush 8; rebuilt three stream lights with LED parts; installed a heater on the trailer; replaced in-line fuel filter and fuel pump on Dive 7; repaired ice machine; rebuilt pressure regulator on breathing air cascade system; repaired the air jack (seal kit); repaired ice rescue suits that were leaking; conducted annual flow test on SCBA; replaced a suction drain on Engine 4; put 3 new ice rescue suits into service; repaired exhaust system to Engine 6 at Westside Station; put new ropes and rigging equipment into service; service tested Justice Center fire hose and repaired auto eject for Brush 8.

TRAINING:

425.9 hours of training were conducted in January. Firefighters trained with ice rescue suits, equipment, procedures and held an ice rescue training near Sunset Park Boat Launch; driving and pump operations on fire apparatus; trained with hydraulic extrication equipment; Firefighters recertified in CPR; reviewed building preplans and new construction throughout the City; all Emergency Medical Responders (EMR) attended their biannual refresher and members of our Honor Guard held training with SB Police Members.

OTHER:

Fire Chief and AC attended City and other Town meetings and installed eight (8) car seats.

CITY OF STURGEON BAY
INSPECTION DEPARTMENT

January 31, 2019

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

January-19	YEAR TO DATE		January, 2019	YEAR TO DATE
0	0	ONE FAMILY DWELLINGS	----	----
0	0	TWO FAMILY DWELLINGS	----	----
0	0	MULTIPLE FAMILY DWELLINGS	----	----
0	0	MANUFACTURED HOME	----	----
0	0	C.B.R.F.	----	----
0	0	RESIDENTIAL ADDITIONS	----	----
1	1	RESIDENTIAL ALTERATIONS	8,000	8,000
0	0	RESIDENTIAL GARAGES/CARPORTS	----	----
0	0	RESIDENTIAL GARAGE ADDITIONS & ALTERATIONS	----	----
0	0	RESIDENTIAL STORAGE BUILDINGS	----	----
0	0	RESIDENTIAL SWIMMING POOLS	----	----
0	0	NON-RESIDENTIAL SWIMMING POOLS	----	----
0	0	NEW COMMERCIAL BUILDINGS	----	----
0	0	NON-RESIDENTIAL GARAGES & STORAGE BUILDINGS	----	----
0	0	NON-RESIDENTIAL ADDITIONS	----	----
3	3	NON-RESIDENTIAL ALTERATIONS	43,500	43,500
0	0	MUNICIPAL BUILDINGS	----	----
0	0	WAREHOUSES	----	----
0	0	FACTORY & SHOP	----	----
0	0	COMMUNICATION TOWER	----	----
0	0	SUBSTATION	----	----
0	0	AGRICULTURAL BUILDINGS	----	----
4	4	TOTAL ESTIMATED COST OF CONSTRUCTION	\$51,500	\$51,500
January, 2019	YEAR TO DATE	TOTAL PERMITS ISSUED	January, 2019	YEAR TO DATE
4	4	BUILDING PERMITS	414	414
7	7	ELECTRICAL PERMITS	2,250	2,250
2	2	PLUMBING PERMITS	130	130
6	6	HEATING PERMITS	3,765	3,765
32	32	SIGN PERMITS	1,040	1,040
0	0	MISCELLANEOUS PERMITS	----	----
0	0	SUMP PUMP PERMITS	----	----
0	0	ELECTRICIAN LICENSES	----	----
0	0	EARLY STARTS	----	----
0	0	EROSION CONTROL	----	----
0	0	STATE PLAN APPROVALS	----	----
0	0	PARK & PLAYGROUND PAYMENTS	----	----
0	0	WISCONSIN PERMIT SEALS	----	----
0	0	ZONING BOARD OF APPEALS APPLICATIONS	----	----
0	0	ZONING CHANGES/P.U.D. APPLICATIONS	----	----
0	0	PLAN COMMISSION - CONDITIONAL USES	----	----
1	1	CERTIFIED SURVEY MAP REVIEWS	30	30
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	0	RESIDENTIAL OCCUPANCY FEES	----	----
0	0	COMMERCIAL OCCUPANCY FEES	----	----
0	0	PIER PERMIT	----	----
0	0	DEMOLITION	----	----
1	1	PLAN REVIEW FEE	300	300
		ADMIN FEE	315	315
TOTAL RECEIPTS DEPOSITED WITH CITY TREASURER			\$8,244.00	\$8,244.00

Cheryl Nault
Building Inspection Dept.

BEVERAGE OPERATOR LICENSES

1. DeSteffen, Brittany L.



Phone 920-746-2900
Fax 920-746-2905

City of Sturgeon Bay
421 Michigan Street
Sturgeon Bay, WI 54235

Visit our website at: www.sturgeonbaywi.org

February 19, 2019

Stephanie Reinhardt
City Clerk
421 Michigan Street
Sturgeon Bay, WI 54235

Ms. Reinhardt:

We, the undersigned, have received a request for certification of compliance for a Class B Beer and Class C Wine license:

Dan's Kitchen
Dan Vue
50 South 3rd Avenue
Sturgeon Bay, WI 54235
April 5, 2019 – June 30, 2019

This letter is to certify that the applicants and the premises comply with those regulations, ordinances and law. We observed no condition that would prevent issuance of the requested license.

Arleigh Porter, Police Chief
City of Sturgeon Bay

Tim Dietman, Fire Chief
City of Sturgeon Bay

John Teichtler, Sanitarian
City of Sturgeon Bay/County of Door



Phone 920-746-2900
Fax 920-746-2905

City of Sturgeon Bay
421 Michigan Street
Sturgeon Bay, WI 54235

Visit our website at: www.sturgeonbaywi.org

February 19, 2019


Stephanie Reinhardt
City Clerk
421 Michigan Street
Sturgeon Bay, WI 54235

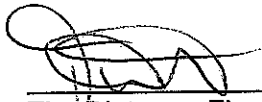
Ms. Reinhardt:


We, the undersigned, have received a request for certification of compliance for a Temporary Class B wine license:

Neighbor to Neighbor Volunteer Caregivers of Door County Inc.
62 South 3rd Avenue
Agent: Pam Seiler
Sturgeon Bay, WI 54235
July 4, 2019 or July 5, 2019 (rain date) – Sunset Park – Sturgeon Bay Celebrates

This letter is to certify that the applicants and the premises comply with those regulations, ordinances and law. We observed no condition that would prevent issuance of the requested license.


Arleigh Porter, Police Chief
City of Sturgeon Bay


Tim Dietman, Fire Chief
City of Sturgeon Bay


John Teichtler, Sanitarian
City of Sturgeon Bay/County of Door

the Miller ART MUSEUM

107 South 4th Avenue • Sturgeon Bay, Wisconsin, 54235 • 920.746.0707 • www.millerartmuseum.org

February 5, 2019

TO: Sturgeon Bay Common Council
421 Michigan Street
Sturgeon Bay, WI 54235

FROM: Miller Art Museum

SUBJECT: Request to Serve Alcohol After Hours

Dear Mayor Birmingham and City of Sturgeon Bay Common Council Members,

In 2019 the Miller Art Museum will celebrate its 44th anniversary! We work to provide our community—thousands of individuals, families, children, friends and neighbors from Door County and beyond—with a platform for the exchange of ideas through engaging and diverse changing exhibitions and educational programs in partnership with our Door County schools that engage young minds and foster creative and critical thinking skills. We hold more than 1,000 works in our permanent collection that tell *our* unique story. And, on a daily basis one can wander through our doors and find joy and inspiration in the work displayed. There is no better time, I am certain, to recognize and celebrate the contributions of cultural institutions like ours!

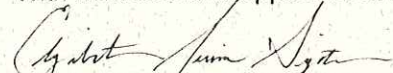
I write with enthusiasm, seeking your consideration and permission, to serve wine at the following three evening opening receptions scheduled for 2019:

Opening Reception Date and Time	Exhibition
Saturday, June 1, 5 – 6:30 PM	<i>Alicia Czechowski: Beyond the Painted Surface</i>
Saturday, July 27, 5 – 6:30 PM	<i>Extraordinary Things: Wisconsin Surrealism in the Permanent Collection</i>
Saturday, September 21, 5 – 6:30 PM	<i>Wildlife Biennial XIX</i>

It is important to note that we would like to offer wine to patrons (at no charge) after the library is closed (Saturday's at 5 PM); we kindly request for this item to be placed on the next agenda for consideration.

Should you have any questions about this request, I would encourage you to contact me directly at (920) 746-0707 or egigstead@millerartmuseum.org; I would be happy to provide clarification as well as articulate the value of our institution.

With kindness and appreciation for your consideration,



Elizabeth Meissner-Gigstead
Executive Director

cc: Door County Library Board of Directors

Board of Directors

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Kristi M. Roenning

Vice President

Dennis M. Connolly

Secretary

Thomas J. Jordan

Treasurer

Samuel W. Burris

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William C. Parsons
Cheryl Stidwell Parker
Barbara A. Sweeney
Hermke H. Timm
James G. Vander Heiden

Executive Director

Elizabeth M. Gigstead

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

We, the Finance/Purchasing & Building Committee, hereby recommend to approve the pre-annexation agreement with Duquaine Development, Inc. with the stipulations that park fees for phase 1 would be \$150.00 per unit and the boundaries for the annexation agreement are approved by the City.

Respectfully submitted,

FINANCE/PURCHASING & BUILDING
COMMITTEE

By: David Ward, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: February 19, 2019

Introduced by _____.

Moved by Alderperson _____ seconded by

Alderperson _____ that said recommendation be adopted.

Passed by the Council on the _____ day of _____, 2019.

EXECUTIVE SUMMARY

Title: Pre-Annexation Agreement with Duquaine Development, Inc.

Background: The Finance Committee and Common Council recently approved entering into an annexation agreement with Duquaine Development, Inc. The agreement involves two lots located on the south side Oak Street (Sawyer Drive). The lots are currently in the Town of Nasewaupée – parcels 020-01-12272541B & C1. Duquaine Development, which has an option to purchase the subject lots, desires to get city water and sanitary sewer services for a proposed multiple-family residential development, which usually requires annexing the land to the City. The annexation agreement was needed in order for the developer and City to negotiate the terms and timing of the annexation and because annexing the parcels outright at this time is problematic because doing so would cut off some town acreage from the rest of the town, thereby creating a “town island” which is illegal under Wisconsin annexation law.

The Council’s approval included a condition that only the first phase of the project (60 units) could be served with sewer and water while in the town. Other phases would require the annexation and review and approval by the City under its normal zoning code procedures and standards.

Based upon the Council’s approval, the actual annexation agreement document was crafted by staff and shared with Duquaine Development. There was general agreement from Duquaine, except for the provision regarding the payment of the City’s park and playground fees. Normally, a project in the Town would not be required to pay the \$300 per unit fee, which is used to provide, maintain and replace recreational facilities and equipment in the City’s parks. Because the future tenants will eventually become Sturgeon Bay residents and will use park facilities, the payment was requested. Mr. Duquaine is instead willing to pay a \$150 per unit fee. It is noted that technically such fee cannot be collected on projects in the Town. Thus, the payment is strictly a negotiated item.

Much of the agreement follows typical agreements approved in the past. But the Finance Committee should review the entire agreement to ensure it meets their intent. One issue of note is that due to the inability to create a town island, the actual annexation likely won’t be able to include the entire property. Thus, the City will need to be able to require that the property be split, if necessary, to ensure the valid annexation. On a related note, it will usually be in the City’s interest to include other town parcels that make sense to be annexed. Thus, the agreement should allow the ability to require the inclusion of other parcels if desired by the City. Perhaps the City should agree to Mr. Duquaine’s suggestion of the \$150 payment per unit for park and playground purposes, but insert clearer language about the split of the parcel to ensure legal annexation and including other parcels at City’s discretion.

Fiscal Impact: The developer would be responsible for extending sewer and water infrastructure into the development. SBU will receive income from the new development. For the City, no other services will be offered to the property until it is formally annexed. At that time, a report including the estimated fiscal impact will be drafted. Because it involves only two parcels that are already surrounded by the City, and because the project is fairly dense with no public streets proposed, it is anticipated that the property tax revenue from the development will exceed the cost of providing fire, police, and other services to the site. If the parcel is officially annexed the City is obligated to pay Nasewaupée for 5 years the amount of taxes it was receiving on the property prior to the annexation. Therefore, the payment will be more if the annexation occurs after the apartments are fully built and assessed.

Options: The annexation agreement is essentially a negotiation. Hence, the Committee can agree with the drafted document (including Mr. Duquaine’s proposed revision or it can request changes.

Recommendation: Staff believes the drafted agreement meets the intent of the Council. While the larger park and playground fee is desired, the proposal by Mr. Duquaine seems reasonable in exchange for clearer language on the amount of land subject to the actual annexation petition.

Prepared by: Martin Olejniczak
Martin Olejniczak
Community Development Director

2-15-19
Date

Reviewed by: Chad Shefchik
Chad Shefchik
City Engineer

2-15-19
Date

Reviewed by: _____
Josh Van Lieshout
City Administrator

Date

Document Number	<p align="center">City of Sturgeon Bay Pre-Annexation Agreement</p> <p align="center">Document Title</p>	
<p align="center">CITY OF STURGEON BAY PRE-ANNEXATION AGREEMENT</p> <p>This agreement is made and entered into on this date by and between the City of Sturgeon Bay, Wisconsin, a municipal corporation duly created under the laws of the State of Wisconsin (hereinafter known as the "City") and _____, the owner of property in the Town of Nasewaupsee, Door County, Wisconsin (hereinafter known as "Property Owner").</p> <p align="center">RECITALS:</p> <p>WHEREAS Property Owner owns property lying adjacent to the City, more particularly described on Exhibit A attached hereto and incorporated herein (the "Property"); and</p>		<p>Recording Area</p> <hr/> <p>Name and Return Address</p>
		<p>020-01-122725441B & -41C1 Parcel Identification Number (PIN)</p>

WHEREAS the City operates and maintains municipal sanitary sewer and water systems within its corporate boundaries; and

WHEREAS Property Owner desires to connect such Property to the City sewer and water systems now and to annex its Property to the City of Sturgeon Bay in the future; and

WHEREAS the City and Property Owner are desirous of setting forth their understandings concerning future development of the Property and certain municipal services to be provided to the Property;

NOW, THEREFORE, in consideration of the premises and of the covenants and understandings herein expressed, the City and the Property Owner agree as follows:

1. Commitment to Annex Property. Property Owner agrees and commits, on behalf of themselves, heirs, successors and assigns, to take all such actions reasonably necessary to annex the Property as described in Exhibit A attached hereto and incorporated herein to the City of Sturgeon Bay at any such time as such annexation is requested by the City of Sturgeon Bay, provided the annexation is not requested by the City prior to September 1, 2019. By accepting utility connections and committing to annex such Property to the City of Sturgeon Bay, the Property Owner bind the Property and future owners thereof to such annexation under the terms set forth herein.

2. **Sanitary Sewer and Water Service.** The utility connection policy of the City of Sturgeon Bay presently states that connection of property outside of the corporate limits of the City of Sturgeon Bay to municipal sewer and water utilities may occur only when specifically authorized by the Common Council. Therefore, in consideration of the commitment of Property Owner to annex such Property to the City of Sturgeon Bay in the future, the City authorizes the current connection of the Property to municipal sewer and water services of the City of Sturgeon Bay prior to the annexation of the Property.

- A. **Sewer and Water Main Installation.** The Property Owner shall be responsible for the extension and installation of sanitary sewer and water mains to serve the intended development on the property. However, if any part of the Property is served by sanitary sewer and water mains that are extended along or into the property at City expense, the City may assess the Property Owner for the cost of installing such sewer or water main facilities according to its normal assessment policy and procedures.
- B. **Requirement to Connect.** The Property Owner, their successors or assigns shall connect to the sewer and water system of the City of Sturgeon Bay for any buildings on the Property that Property Owner, their successors or assigns desire to be served with sanitary sewer and water services. The connection shall be accomplished prior to occupancy of any habitable structures on the property.
- C. **Connection Fees and Permits.** There shall be no connection fee charged to Property Owner for connecting to sewer and water service. However, Property Owner is responsible for and shall obtain any necessary permits, and pay any permit fees therefor, for the installation of mains and laterals that connect to the sewer and water system of the City of Sturgeon Bay. Property Owner shall allow for inspection of connections by the City.
- D. **Construction Costs for Laterals.** The construction costs for the installation of laterals serving the Property from the sewer and water mains shall be paid for in their entirety by the Property Owner. This shall include the cost of materials and installation including any associated excavating, blasting, or affiliated expenses. Property Owner shall be responsible to repair or replace any damage caused to the water or sewer mains, curb and gutter or street as a result of such construction.

3. **Additional Municipal Services.** It is understood and agreed that the City of Sturgeon Bay is not committed to provide any additional municipal services to Property Owner, its heirs, successors or assigns until such time as the Property is annexed into the City of Sturgeon Bay. Until such time as the Property is annexed into the City of Sturgeon Bay, the city has no responsibility to provide police protection, fire protection, trash

or recyclable pickup, street repair, building inspection or any other municipal service other than the sewer and water service described above.

4. **Zoning and Use of Property.**

- A. **Zoning Classification.** Upon annexation, the City reserves the right to place any zoning district classification(s) upon the Property as deemed appropriate by the common council after recommendation by the plan commission. The City agrees to honor any valid non-expired building permits or approvals that were duly issued by the state, county, or Town of Nasewaupee prior to annexation of the Property.
- B. **Comprehensive Plan.** The Future Land Use designation of the Property under the City of Sturgeon Bay Comprehensive Plan is Mixed Residential for the northern portion of the Property and Commercial or Mixed Residential for the southern portion. The City acknowledges that the development of multiple-family dwellings on the Property is consistent with such designation.
- C. **Review and Approval of Proposed Development.** If multiple-family dwellings are developed on the Property, the first phase of the such development not to exceed 60 units shall not require formal review and approval under City of Sturgeon Bay codes, if the first phase is commenced prior to the effective date of the annexation. However, future phases of multiple-family residential development shall require review and approval by the City during the term of this agreement.
- D. **Aesthetic Design & Site Plan Review Board.** Property agrees to have the proposed development and design of buildings be reviewed by Sturgeon Bay Aesthetic Design & Site Plan Review Board prior to commencement of construction. However, the Property Owner shall not be bound by any comments or recommendations of the Board for the first phase of development not to exceed 60 units. Future phases of development will be subject to the Board's jurisdiction.

5. **Stormwater Management.** Upon annexation, the stormwater management requirements of the City of Sturgeon Bay will apply to new development on the Property. Prior to annexation, property owner agrees to reduce the runoff rate of the ten-year post-development peak runoff discharge rates, to the maximum extent practicable, to the five-year pre-development peak runoff discharge rates for the 24-hour design storm events applicable to the site, unless a more stringent requirement is imposed by the Town of Nasewaupee or state of Wisconsin.

6. **Building Inspection.** As long as the Property remains in the Town of Nasewaupee, the Property Owner agrees to obtain all required permits from the Town and conform to the Town's building inspection protocols. Upon annexation, building inspection of any development under construction shall be performed by the City of Sturgeon Bay contracted building inspectors. After annexation the City agrees to pay for any additional

inspection fees associated with any inspections of ongoing construction work performed under permits that were received from the state and/or Town of Nasewaupee prior to the annexation.

7. **Taxes and Fees.**

- A. Property Taxes. As the Property will remain in the Town of Nasewaupee until such time as it is annexed to the City of Sturgeon Bay, there shall be no property taxes due to the City of Sturgeon Bay by the Property Owner until such time as it is annexed into the City of Sturgeon Bay.
- B. Monthly Utility Bills. Fees for monthly usage of sanitary sewer and water services shall be paid directly to the Sturgeon Bay Utilities. Property Owner agrees that the City may levy a special charge for services under Wis. Stat. 66.0627 for delinquent user fees.
- C. Park and Playground Fee. The Property Owner agrees to pay the City's park & playground fee of \$300 per residential dwelling unit for any dwelling units for which occupancy has not been granted prior to the effective date of annexation.

8. **Miscellaneous Provisions.**

- A. **Term of Agreement.** The term of this agreement shall be twenty-five (25) years from the date executed by all parties hereto. This agreement shall only be effective upon execution by both parties hereto. In the event of the annexation of the property to the City of Sturgeon Bay during the term of this agreement, then the obligations of this agreement to annex such property to the City of Sturgeon Bay shall be deemed satisfied. In the event the Property Owner, their heirs, successors or assigns have not been requested by the City of Sturgeon Bay to annex the property to the City of Sturgeon Bay within the term of this agreement, then the obligation under this agreement shall terminate and this agreement shall be null and void.
- B. **Authority.** Each person executing this agreement on behalf of a party hereto warrants and represents that he or she has full power and authority to execute and deliver this agreement, and the provisions of this agreement will be binding upon and enforceable against the persons executing their signatures hereto and all trusts, corporations, LLCs, or other entities in which such person is an owner, officer or member.
- C. **Amendments.** No modification, alteration or amendment to this agreement shall be binding upon either party hereto until such modification, alteration or amendment is reduced to writing and executed by both parties hereto.
- D. **Governing Law.** The terms, conditions and provisions of this

agreement shall be governed by and construed in accordance with the laws of the State of Wisconsin.

- E. **Default.** In the event the Property Owner fails to take such action to annex its property as is required herein, or if the City fails to allow for the connection to sewer and water services as provided herein, then the non-defaulting party shall provide written notice to the defaulting party of the nature of such default. If the default is not cured within thirty (30) days of receipt of such notice, then the non-defaulting party may, at its option, terminate this agreement and all obligations hereunder. In the event sewer and water service has already been connected, it may then be disconnected by the City or its agent.
- F. **Costs of Enforcement.** Any party incurring expenses necessary to enforce the provisions of this agreement is entitled to recover such expense, including reasonable attorney fees, from the defaulting party.
- G. **Severability.** The invalidity or unenforceability of any covenant, condition, term or provision of this agreement shall not affect the validity or enforceability of any other covenant, condition, term or provision of this agreement.

IN WITNESS WHEREOF, the City of Sturgeon Bay by its authorized representatives and the Property Owner have each caused this agreement to be signed, sealed and attested on its behalf.

CITY OF STURGEON BAY

Dated: _____

By: _____
Thad Birmingham, Mayor

Dated: _____

By: _____
Stephanie L. Reinhardt, Clerk

STATE OF WISCONSIN)
)SS
COUNTY OF DOOR)

Personally came before me this _____ day of _____, 2019, the above-named Thad Birmingham and Stephanie L. Reinhardt, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin
My Commission Expires: _____

PROPERTY OWNER

Dated: _____ By: _____

STATE OF WISCONSIN)
)SS
COUNTY OF DOOR)

Personally came before me this _____ day of _____, 2019, the above-named _____, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin
My Commission Expires: _____

This instrument drafted by:

EXHIBIT A

LEGAL DESCRIPTION

Marty,

Please forward this to Members of the Finance Committee. I have reviewed the annexation agreement for the 15-acre parcel of property behind Target (Old Nickolson Orchards).

I find everything acceptable, except for the \$300 per unit park fees, which would be charged on all units not already occupied before the date of annexation.

We will be pulling permits through the town of Nasewaupee and will have construction of the first phase well under way, but I do not think we will have occupancy permits on any of these buildings before the proposed annexation occurs, which would require us to pay the full amount for all three buildings of the first phase.

I am requesting a compromise of \$150 per unit upon occupancy based on the fact that all of the permits will be pulled on the first Phase through the town of Nasewaupee and a good portion of the construction will be underway before annexation.


In addition to this unlike the Clay Banks site which had sand and clay this site has solid rock 12"-15" below the existing topography, which is going to make the infrastructure and excavation costs on this site much more expensive for anyone who would develop this site.

We have not requested any subsidies from the City of Sturgeon Bay although we have had and have accepted offers of free land or Tiff money to pay for infrastructure in exchange for investing in other communities.

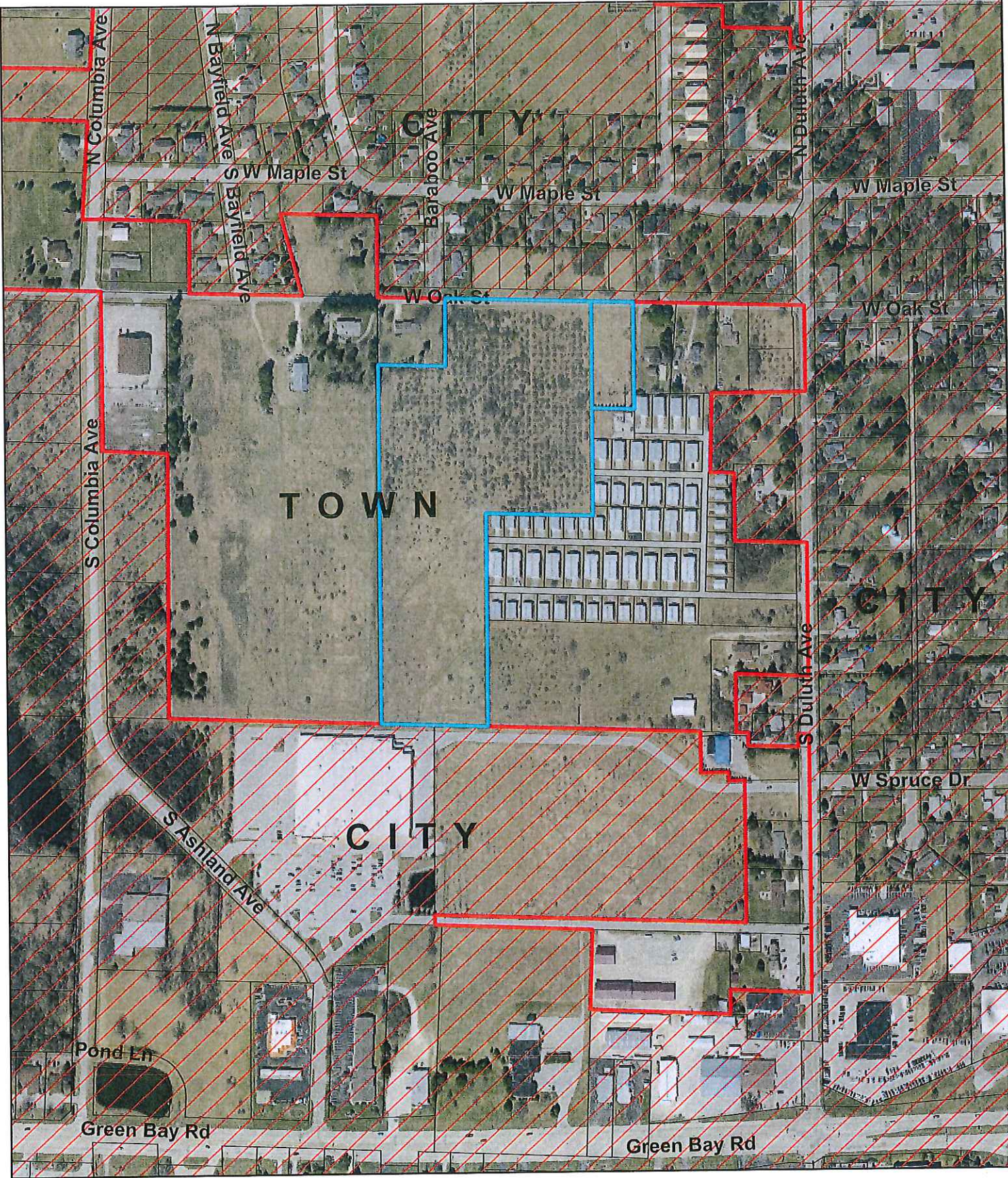
Phase 2 and 3 if approved by the City of Sturgeon Bay, would be charged the full amount for park fees.

We hope you will see this proposal as a reasonable compromise.

Thank You

 2-11-19

Pre-Annexation Agreement for Duquaine Development - Subject Lots



December 6, 2018

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

We, the Finance/Purchasing & Building Committee, hereby recommend to approve a funds transfer in the amount of \$8,000 from capital contingency line item 10-199-000-59999 to 10-225-000-59035 vehicles, for the purchase of a 2009 Ford Explorer from the GSA program and declare the Ford 500 as surplus.

Respectfully submitted,

FINANCE/PURCHASING & BUILDING
COMMITTEE

By: David Ward, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: February 26, 2019

Introduced by _____.

Moved by Alderperson _____ seconded by

Alderperson _____ that said recommendation be adopted.

Passed by the Council on the _____ day of _____, 2019.

EXECUTIVE SUMMARY

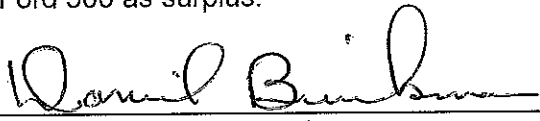
TITLE: Transfer of funds from contingency in the amount of \$8,000 for the purchase of a 2009 Ford Explorer from the GSA program.

BACKGROUND: The GSA program (General Services Administration) Excess Property Program is a federal program that oversees the disposal of federal agencies used excess property, including vehicles that are sold. This program provides an opportunity for local and state governments to save substantial money. The Sturgeon Bay Police Department has utilized the GSA program numerous times, including one 2006 Ford Explorer currently assigned to the detective. This particular vehicle has proven to be reliable with no issues.

FISCAL IMPACT: The 2019 capital contingency budget contains \$15,000. The contingency line item was recently increased from \$10,000 to \$15,000 to provide for opportunities such as this. This vehicle will replace the lieutenant's vehicle which will be transferred to Administration to replace the Ford 500 which will be liquidated. This requires a 2/3 vote of the Council.

RECOMMENDATION: Approve a transfer in the amount of \$8,000 from the capital contingency line item #10-199-000-59999 to #10-225-000-59035 vehicles, for the purchase of a 2009 Ford Explorer from the GSA Program and declare the Ford 500 as surplus.

PREPARED BY:


Daniel Brinkman, Captain

REVIEWED BY:


Arleigh Porter, Chief of Police

REVIEWED BY:

Valerie Clarizio, Finance Director

APPROVED BY:

Josh VanLieshout, City Administrator

DATE:

February 22, 2019

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

We, the Finance/Purchasing & Building Committee, hereby recommend to purchase a Caterpillar MDL 12ME AWD from Fabick CAT at a cost not to exceed \$266,000, trade in the 2002 Caterpillar 143H Grader and approve the \$6,000 fund transfer from capital budget line 10-199-000-59999 capital contingency to 10-410-000-59065 grader.

Respectfully submitted,

FINANCE/PURCHASING & BUILDING
COMMITTEE

By: David Ward, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: February 26, 2019

Introduced by _____.

Moved by Alderperson _____ seconded by

Alderperson _____ that said recommendation be adopted.

Passed by the Council on the _____ day of _____, 2019.

Executive Summary

Date: February 22, 2019

Title: Award of Bid for a 2019 Motor Grader

Background: On February 15, 2019 the Municipal Services Department received bids for a new 2019 motor grader. In accordance with the City of Sturgeon Bay Purchasing & Property Accountability Policy, specifications were prepared and competitive sealed bidding was used to obtain pricing. Two bids were received:

Fabick CAT, Green Bay, WI	Brooks Tractor Inc (John Deere) De Pere, WI
(1) New Caterpillar MDL 12ME AWD	(1) New John Deere MDL 672GP
Purchase Price \$341,500	Purchase Price \$340,627
Trade in Value \$75,500	Trade in Value \$95,000
Final Cost \$266,000	Final Cost \$245,672

The 2019 capital budget included \$320,000 with a trade amount of \$60,000 leaving \$260,000 available for the balance of the purchase of the new grader.

Although the price of the Caterpillar comes in \$6,000 over budget I am recommending purchasing this model over the John Deere. I have four important reasons which make me consider the Caterpillar a safer machine for our purpose. The Deere cab does not have an angled floor design to allow for direct visibility of the moldboard. The grader often works in close proximity to curbs, manhole covers, catch basins, and water valves, to avoid damaging other infrastructure good visibility is essential.

The Deere does not have several requested safety features that are valuable and beneficial, including an operator presence system, hydraulic implement lockout switch at the operator station, and an external emergency kill switch. These are important pieces of safety equipment, that are not otherwise included in the Deere proposal.


I recommend the following fund transfer:

Account Number	Description	Amount
10-199-000-59999	Capital Contingency	\$6,000

Fiscal Impacts: \$266,000.00 and trade in of our 2002 Caterpillar 143H Grader valued at \$75,500.

Recommendation: Staff recommends purchasing Caterpillar MDL 12ME AWD from Fabick CAT at a cost not to exceed \$266,000.00, trade in our 2002 Caterpillar 143H Grader, and approve fund transfer as noted above.

Prepared By:


Mike Barker
Municipal Services Director

Date: 22 FEB 2019

Reviewed By:

Valerie Clarizio
Finance Director

Date: _____

Reviewed By:

Josh VanLieshout
City Administrator

Date: _____

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the City Plan Commission, hereby recommend to approve an amendment to section 20.10(2)(c)(11)(a) of the Municipal Code (Zoning Code) regarding the minimum side and rear yard for detached accessory dwelling units as follows:

- a. The accessory dwelling unit shall be subject to the requirements of section 20.29 *Accessory building height and area regulations*, except the minimum side and rear yards shall be 10 feet for new construction accessory buildings constructed after April 1, 2019.

Respectfully submitted,
 City Plan Commission
 By: Dennis Statz, Vice-Chairman

RESOLVED, that the foregoing recommendation be adopted

Date: February 20, 2019

Introduced by _____;

Moved by Alderperson _____, seconded by
 Alderperson _____ that said recommendation
 be adopted.

Passed by the Council on the _____ day of _____, 2019.

Executive Summary

Accessory Building Height Code Text Amendment

Background: The Plan Commission reviewed accessory building height requirement under Chapter 20 (Zoning). The current code is confusing and is generally more restrictive than most communities. After several meetings, an amended ordinance was recommended that allows slightly taller buildings and makes other changes affecting taller accessory buildings to Council for approval.

The revisions are to section 20.29 which regulates accessory buildings for single-family and two-family dwellings. The amendment keeps the City's current two options for maximum height – a general height and an alternative height. But the standards for each option are somewhat revised. Here are the highlights:

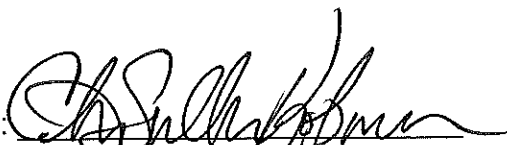
1. The general method increases the max height to 16 feet. This matches the County and some of the other nearby communities. There would be no extra requirements if the height is 16 feet or less.
2. The alternative method keeps the maximum height at 24 feet or the height of the dwelling, whichever is less. This is same as current standard.
3. The alternative method is more flexible on the requirement to match the roof pitch to the dwelling by allowing it to be slightly flatter or steeper. But, it makes it clear that it must match the primary roof pitch of the house (unlike current language).
4. The alternative method simplifies the side wall height requirement by basing it on the side wall height of the dwelling rather than on other factors.
5. The alternative method adds a new requirement to increase the side yard or rear yard for the taller structures. The larger accessory building may have a greater impact on adjoining parcels and, hence, the larger setback could mitigate that. But, the minimum side or rear setback would not increase beyond what is required for the dwelling.

Options: The Council can:

- Approve the Plan Commission's recommendation. A public hearing would be held at a subsequent Council meeting. Following the hearing the amendment would need to be approved via two readings of the proposed ordinance amendment.
- Reject the Plan Commission's recommendation. The matter would then be dropped from consideration.
- Refer the matter back to the Plan Commission. If there are substantive changes desired or if there are issues that need more consideration, the Plan Commission could be directed to review this issue further.

Recommendation: Approve the Plan Commission recommendation so that the issue moves on to the public hearing.

Prepared by:



Christopher Sullivan Robinson
Planner / Zoning Administrator

Date: 2-28-19

Prepared by:



Marty Olejniczak
Community Development Director

Date: 2-28-19

Reviewed by:



Josh Van Lieshout
City Administrator

Date: 2/28/19

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the City Plan Commission, hereby recommend to approve an amendment to section 20.29(1) of the Municipal Code (Zoning Code) regarding accessory building height regulations as attached.

Respectfully submitted,
City Plan Commission
By: Dennis Statz, Vice-Chairman

RESOLVED, that the foregoing recommendation be adopted

Date: February 20, 2019

Introduced by _____;

Moved by Alderperson _____, seconded by
Alderperson _____ that said recommendation
be adopted.

Passed by the Council on the _____ day of _____, 2019.

Attachment

Proposed amendment to Section 20.29(1) of the Municipal Code:

- (1) ~~Height. The height of an accessory building shall not exceed 14 feet, measured from the finished grade to the highest point of the roof, unless all of the following conditions are met:~~
- ~~(a) IN cases where the construction of the accessory building's roof pitch match that of the principal building, then the maximum building height shall not exceed 24 feet and the eave side walls shall not exceed 14 feet.~~
 - ~~(b) The overall building height may equal, but not exceed the height of the principal building.~~
 - ~~(c) The maximum height of the eave side walls shall not exceed ten feet on structures 1,000 square feet or less and structures more than 1,000 square feet shall be limited to 16 feet.~~
- (1) *Height. The maximum height of an accessory building shall be determined by either of the following methods:*
- (a) General method. The accessory building shall not exceed 16 feet, measured from the finished grade to the highest point of the roof.*
 - (b) Alternate method. The accessory building may exceed 16 feet, provided all of the following requirements are met:*
 - 1. The height of the accessory building shall not exceed 24 feet or the height of the principal building, whichever is less.*
 - 2. The pitch of the largest roof element of the accessory building shall not be steeper than 1 unit in 12 units more than the pitch of the largest roof element of the principal building and no flatter than 1 unit in 12 unites less than the pitch of the largest roof element of the principal building.*
 - 3. The eave side wall height of the accessory building shall not exceed the height of the highest side wall height of the principal building.*
 - 4. The required side and rear yards shall be increased by one foot for each foot of additional height above 16 feet provided, however, the required side and rear yard shall not be increase above the required for the principal building.*

Executive Summary
Accessory Dwelling Unit Code Text Amendment

Background: Common Council approved the accessory dwelling unit ordinance a couple weeks ago with a modification that requires new construction to be setback at 10 feet. That code went in effect last week.

At the same time, the Plan Commission has been reviewing a potential code text amendment for accessory building setbacks. The Commission has chosen not to recommend any changes at this time. However, it was discovered that there is a loophole within the increased setback for accessory dwelling units. If an applicant sought approval for an accessory dwelling unit after constructing an accessory building, they would not have to meet that 10 foot setback requirement. The Commission is recommending adding a date (April 1, 2019) to make this ordinance more enforceable.

Options: The Council has the following options:

1. Approve the recommendation as presented or with revisions. A public hearing would be held at a subsequent Council meeting. Following the hearing the amendment would need to be approved via two readings of the proposed ordinance amendment.
2. Send this item back to the Plan Commission for other considerations.
3. Deny the recommendation. The matter would be dropped from discussion.

Recommendation: Approve the recommendation as presented.

Prepared By:  2-28-19
Christopher Sullivan-Robinson
Planner / Zoning Administrator Date

Reviewed By:  2-28-19
Marty Olejniczak
Community Development Director Date

EXECUTIVE SUMMARY

DATE: February 26, 2019

TITLE: Award of Contract for Project 1902A – Concrete Replacement Program

BACKGROUND: On February 25, 2019 the Engineering Department received bids for Project 1902A – Concrete Replacement Program for the concrete portion of the mill & pave projects. In accordance with the City of Sturgeon Bay Purchasing & Property Accountability Policy, specifications were prepared and competitive sealed bidding was used to obtain pricing. The specifications prepared included all items of work that were presented in the approved 2019 Capital Roadway Improvements at the January 15, 2019 Board of Public Works meeting. This bid includes the concrete work on:

- Georgia Street (from N 4th Ave to N 5th Ave)
- Georgia Street (from 580 LF East of N 5th Ave to N 8th Ave)
- N 3rd Ave (from Delaware Street to Alabama Street)
- E Pine Street (from S Madison Ave to S Neenah Ave)
- W Elm Street (from N Duluth Ave to N Hudson Ave)
- Sidewalk addition along Florida Street from N 7th Ave to the Amity Field Development

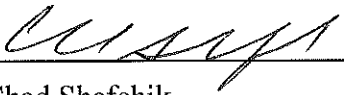
Two bids were received for the project and the overall results are summarized below:

\$141,977.75 Martell Construction, Inc.
\$154,324.75 Sommers Construction Company, Inc.

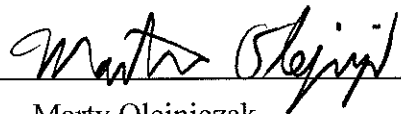
After completing a review of the bids it has been determined that the bid from Martell Construction, Inc. is complete, accurate, and would be the low bid.

FISCAL IMPACT: The 2019 Capital Roadway Improvements budget has enough money to complete this project. Overall the bid came in under the initial preliminary engineering estimated amounts. \$1,526.00 of the bid will be charged to the property owner at 536 N 4th Ave for driveway modifications that the property owner requested and has agreed to pay for. \$2,995.00 of the bid will be a special assessment to the property owner at 525 N 7th Ave for the new sidewalk that will be added along their property. \$5,652.00 of the bid will be charged to TID #3 for the sidewalk addition along Florida Street from N 7th Ave to the Amity Field Development. The 2019 Capital Roadway Improvements budget will be covering the remaining \$131,804.75 of the bid.

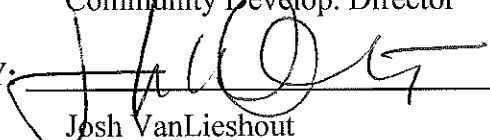
RECOMMENDATION: Award the Contract for Project 1902A – Concrete Replacement Program to Martell Construction, Inc. with unit pricing amounts totaling an estimated cost of \$141,977.75.

SUBMITTED BY: 
Chad Shefehik
City Engineer

2-26-19
Date

REVIEWED BY: 
Marty Olejniczak
Community Develop. Director

2-26-19
Date

REVIEWED BY: 
Josh VanLieshout
City Administrator

2/26/19
Date

EXECUTIVE SUMMARY

DATE: February 26, 2019

TITLE: Award of Contract for Project 1902B – Asphalt Replacement Program

BACKGROUND: On February 25, 2018 the Engineering Department received bids for Project 1902B – Asphalt Replacement Program for the asphalt portion of the mill & pave projects. In accordance with the City of Sturgeon Bay Purchasing & Property Accountability Policy, specifications were prepared and competitive sealed bidding was used to obtain pricing. The specifications prepared included all items of work that were presented in the approved 2019 Capital Roadway Improvements at the January 15, 2019 Board of Public Works meeting. This bid includes the asphalt work on:

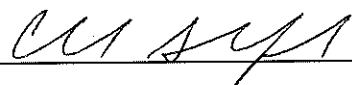
- Georgia Street (from N 4th Ave to N 5th Ave)
- Georgia Street (from 580 LF East of N 5th Ave to N 8th Ave)
- N 3rd Ave (from Delaware Street to Alabama Street)
- Alabama Street (from N 3rd Ave to 250 LF West of N 3rd Ave)
- E Pine Street (from S Madison Ave to S Neenah Ave)
- W Elm Street (from N Duluth Ave to N Hudson Ave)

Only one bid was received for the project from Northeast Asphalt, Inc. in the amount of \$315,208.80. After completing a review of the bid it has been determined that the bid from Northeast Asphalt, Inc. is complete and accurate.

FISCAL IMPACT: \$315,208.80 - The 2019 Capital Roadway Improvements budget has enough money to complete this project. Overall the bid came in under the initial preliminary engineering estimated amounts.

RECOMMENDATION: Award the Contract for Project 1902B – Asphalt Replacement Program to Northeast Asphalt, Inc. with unit pricing amounts totaling an estimated cost of \$315,208.80.

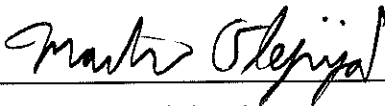
SUBMITTED BY:


Chad Shefchik
City Engineer

2-26-19

Date

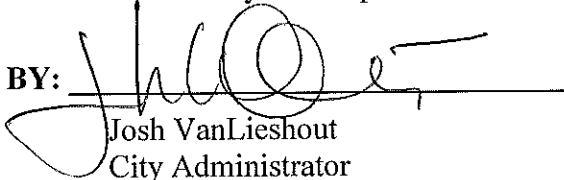
REVIEWED BY:


Marty Olejniczak
Community Develop. Director

2-26-19

Date

REVIEWED BY:


Josh VanLieshout
City Administrator

2/26/19

Date

RECEIVED
2/22/19



City of Sturgeon Bay
421 Michigan Street
Sturgeon Bay, WI 54235

Thad Birmingham
Mayor

920-746-2900 (Voice)
920-746-2905 (Fax)
sbmayor@sturgeonbaywi.org

February 21, 2019

Stephanie Reinhardt, Clerk
City of Sturgeon Bay
421 Michigan Street
Sturgeon Bay, Wisconsin 54235

Re: Veto of Council action approving the withdrawal of the City from the appeal of the judgement of Door County Circuit Court Case 16-CV-23 (Court of Appeals Case 2017AP800)

Dear Ms. Reinhardt,

This letter serves as my veto of actions taken under agenda item 20(a), "Consideration of: Litigation with Friends of the Sturgeon Bay Public Waterfront, Shawn M. Fairchild, Carri Andersson, Linda Cockburn, Russ Cockburn, Kathleen Finnerty and Christy Weber v. City of Sturgeon Bay and Waterfront Redevelopment Authority of the City of Sturgeon Bay."

Chapter 62.09(8)(c) Wis. Stats. identifies the process for execution of a veto. The statute in whole reads: *"The mayor shall have the veto power as to all acts of the council, except such as to which it is expressly or by necessary implication otherwise provided. All such acts shall be submitted to the mayor by the clerk and shall be in force upon approval evidenced by the mayor's signature, or upon failing to approve or disapprove within 5 days, which fact shall be certified thereon by the clerk. If the mayor disapproves, the mayor's objections shall be filed with the clerk, who shall present them to the council at its next meeting. A two-thirds vote of all the members of the council shall then make the act effective notwithstanding the objections of the mayor."*

As Mayor it is incumbent on me to explain to the Common Council and the electorate why I am taking this extraordinary action.

The Common Council, during their deliberations in open session on February 19, 2019 took action, I believe, to be contrary to the best interests of the City of Sturgeon Bay.

As reported to the Common Council, at that time it hadn't yet been determined what impact the Petition of John Wiese, Thomas Wulf, et.al. vs. WDNR (2019CV000013) would have on the City's appeal and rights should 2019CV000013 be successful or unsuccessful.

Alder Catarozoli, in her open session remarks before voting on the matter said as much that her motion to withdraw the City's arguments before the Court of Appeals is intended to satisfy the plaintiffs. It is ludicrous to think that voluntarily forgoing the public's appeal

rights without full consideration is in the best interest of the City of Sturgeon Bay or its residents.

This Common Council has now totally and completely satisfied the demands of the Friends of Sturgeon Bay. First by stipulating to an ordinary high water mark further inland than even the DNR sought in their March 8, 2017 declaration and second, by vacating and dismissing the public's only remaining rights in court before knowing the impact of such a decision.

For the reasons expressed above, this letter is a veto of the foregoing council action. Please serve this notice upon the Common Council at their next meeting as required by statute.

Very truly,

A handwritten signature in blue ink, reading "Thad Birmingham". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Thad Birmingham
Mayor, City of Sturgeon Bay