



**CITY OF STURGEON BAY COMMON COUNCIL AGENDA
TUESDAY, APRIL 16, 2019
7:00 P.M.
COUNCIL CHAMBERS, CITY HALL – 421 MICHIGAN ST**

1. Call to order.
2. Pledge of Allegiance.
3. Roll call.

PRESENTATION OF CERTIFICATES OF APPRECIATION TO:

**KELLY CATARAZOLI, DISTRICT 1
DAVE WARD, DISTRICT 3
BARBARA ALLMANN, DISTRICT 5
LAUREL HAUSER, DISTRICT 7
THAD BIRMINGHAM, MAYOR**

**ORGANIZATIONAL MEETING
DAVE WARD, MAYOR**

NEWLY ELECTED COUNCIL MEMBERS ARE SEATED

4. Roll call.
5. Adoption of agenda.
6. Public Comment.
7. Presentation re: Door County Door2Door.
8. Consideration of the following bills: General Fund – \$108,350.71, Capital Fund - \$7,668.10, Cable TV - \$4,395.19, TID #4 - \$17,608.87, and Solid Waste Enterprise Fund - \$543.86 for a grand total of \$138,566.73. roll call]

9. 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 4/2/19 regular minutes Common Council minutes.

* b. Approval of the following minutes:

- (1) Aesthetic Design & Site Plan Review Board – 2/25/19
- (2) Aesthetic Design & Site Plan Review Board – 3/11/19
- (3) Finance/Purchasing & Building Committee – 3/26/19
- (4) Waterfront Redevelopment Authority – 4/2/19
- (5) City Plan Commission – 4/3/19
- (6) Community Protection & Services Committee – 4/8/19

- * c. Place the following reports on file:
 - (1) Police Department Report – March 2019
 - * d. Consideration of: Approval of beverage operator licenses.
 - * e. Consideration of: Designation of official newspaper.
 - * f. Consideration of: Designation of Public Depositories.
 - * g. Consideration of: Approval of Change of Agent for Apple Valley Lanes.
 - * h. Consideration of: Approval of Temporary Class B Beer license for Sturgeon Bay Bass Tournament LLC.
 - * i. Joint Park & Recreation Committee/Board recommendation re: Allow the DCSSA to move forward with the Big Hill Park trail system as discussed in the presentation with conditions.
 - * j. Finance/Purchasing & Building Committee recommendation re: Purchase a Ford F-550 4x4 with dump box from L&S Truck Center Appleton, WI in an amount not to exceed \$68,166, including the trade in of a 2007 Ford F-550.
 - * k. Finance/Purchasing & Building Committee recommendation re: Purchase a Ford-350 R/C 4x2 from Jim Olson Ford in an amount not to exceed \$38,991, including trade in of a 2001 Chevrolet 3500.
 - * l. Finance/Purchasing & Building Committee recommendation re: Write off the following 2017 delinquent personal property tax account bills in the amount of \$1,475.05.
 - * m. Finance/Purchasing & Building Committee recommendation re: Purchase a 2019 Western Star 4700SF with plow, stainless dump box option and hood access package from Quality Truck Center of OshKosh, WI in an amount not to exceed \$167,807.00 including the trade in of a 2001 Sterling L8500 with plow.
 - * n. Community Protection & Services Committee recommendation re: Staff adapt a form to be signed by all newly elected officials, and those appointed to City committees and commissions, with the understanding they have read the conflict of interest disclosure regarding Chapter 35, Code of Conduct and Chapter 36, Code of Ethics prior to serving.
- 10. Mayoral appointments.
 - 11. Election of Council President. [Council Election.]
 - 12. City Plan Commission recommendation re: Approve the combined Preliminary/Final Planned Unit Development to allow for 6 multiple-family dwelling units to be established on property located at 709 Jefferson Street, parcel #281-62-25002202 with conditions.
 - 13. First reading of ordinance re: Rezoning from Mixed Residential and Commercial (C-5) to Planned Unit Development (PUD) and shall be subject to the site plan and requirements for parcel #281-62-25002202.
 - 14. Second reading of ordinance re: Creating of Chapter 35 of the Municipal Code – Code of Conduct.
 - 15. Second reading of ordinance re: Creation of Chapter 36 of the Municipal Code – Code of Ethics.

16. Second reading of ordinance re: Text amendment to Section 20.29(1) of the Municipal Code – Zoning Code – Accessory Building Height Requirements.
17. Second reading of ordinance re: Text amendment from Section 20.10(2)(c)11 of the Municipal Code – Zoning Code – Detached accessory Dwelling Units.
18. Resolution re: Submit application to the State of Wisconsin Department of Natural Resources authorizing Municipal Services Director to sign for grant application/process.
19. Items to be Included on Future Agendas (New Business).
20. City Administrator report.
21. Committee Chairperson Reports:
 - a. Personnel Committee
 - b. Parking & Traffic Committee
 - c. Community Protection & Services Committee
 - d. Utility Commission
22. Mayor's report
 - Update on PRAT
 - Other
23. Convene in closed session in accordance with the following exemption:

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: Joining as a party the matter of John Wiese, Tom Wulf, Fran Shefchik, Mark Holdridge, Mike Langenhorst, et. al. vs. Wisconsin Department of Natural Resources.

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.
24. Adjourn.

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.

Posted:

Date:

4.12.19

Time:

12:00pm

By:

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CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT

INVOICES DUE ON/BEFORE 04/16/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
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GENERAL FUND

GENERAL FUND

BALLFIELD LIGHTING				
WPPI ENG	WPPI ENERGY	04/19 ATHLETIC FLD LIGHT	01-000-981-70000	1,365.39
TOTAL BALLFIELD LIGHTING				1,365.39
TOTAL GENERAL FUND				1,365.39

LAW/LEGAL

03950	DAVIS KUELTHAU	02/19 GENERAL LEGAL MATTERS	01-110-000-55010	2,022.00
16555	PINKERT LAW FIRM, LLP	02/19 LITIGATION MATTER/KOLSKI	01-110-000-55010	337.50
16555		02/19 TRAFFIC MATTERS	01-110-000-55010	1,305.00
VANDECAS	VANDE CASTLE, S.C.	03/19 LEGAL SERVICES	01-110-000-55010	76.50
TOTAL				3,741.00
TOTAL LAW/LEGAL				3,741.00

ADMINISTRATION

23830	WOLTER ENGRAVING	NAMEPLATE-JOSH	01-120-000-54999	13.25
23830		NAMEPLATE-HEIDI	01-120-000-54999	19.20
TOTAL				32.45
TOTAL ADMINISTRATION				32.45

CITY ASSESSOR

01650	APEX SOFTWARE	ANNL RENEW SKETCH PROGM	01-130-000-51100	235.00
ASSO APP	ASSOCIATED APPRAISAL	04.16.19 CONTRACT	01-130-000-55010	1,333.33
TOTAL				1,568.33
TOTAL CITY ASSESSOR				1,568.33

PUBLIC WORKS ADMINISTRATION

WIEGAND	STEVE WIEGAND	FUEL REIMBUSE/WIEGAND	01-150-000-55600	25.00
TOTAL				25.00
TOTAL PUBLIC WORKS ADMINISTRATION				25.00

ELECTIONS DEPARTMENT

04975	ECONO FOODS	BAKERY/ELECTION WORKERS	01-155-000-54999	45.00
TOTAL				45.00
TOTAL ELECTIONS DEPARTMENT				45.00

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INVOICES DUE ON/BEFORE 04/16/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE

GENERAL FUND				
CITY HALL				
03159	CHARTER COMMUNICATIONS	03/19 FIRE CABLE SVC	01-160-000-58999	120.21
05500	ENERGY CONTROL AND DESIGN INC	CHNGE MONITR CNTRL PRG/LABOR	01-160-000-58999	372.00
05500		MILEAGE	01-160-000-58999	36.00
19959	SUPERIOR CHEMICAL CORP	FOAM SOAP BAGS 2 CSES @ 84.49	01-160-000-51850	168.98
19959		1 CS CLEANING WIPES	01-160-000-51850	75.36
19959		SHIPPING	01-160-000-51850	45.11
KONE	KONE INC.	SVC CITY HALL ELEVATOR	01-160-000-58999	651.17
WARNER	WARNER-WEXEL WHOLESALE &	CLEANING SUPPLIES	01-160-000-51850	75.19
WARNER		CLEANING SUPPLIES	01-160-000-51850	80.06
WARNER		PAPER TOWELING	01-160-000-51850	24.73
TOTAL				1,648.81
TOTAL CITY HALL				1,648.81
GENERAL EXPENDITURES				
08167	GANNETT WISCONSIN NEWSPAPERS	PUBLIC HRING NOTICE-HILPIPRE	01-199-000-57450	33.96
08167		BID ADVERTISEMENT	01-199-000-57450	58.68
08167		BID 1902A ADVERTISEMENT	01-199-000-57450	65.74
08167		PUBLIC HRING NOTICE-NICLET BNK	01-199-000-57450	35.14
STAPLES	WISCONSIN DOCUMENT IMAGING LLC	CLERK COPIER-BLACK/WHITE	01-199-000-55650	411.65
STAPLES		CLERK COPIER-COLOR	01-199-000-55650	1,374.08
TOTAL				1,979.25
TOTAL GENERAL EXPENDITURES				1,979.25
POLICE DEPARTMENT				
04150	DEJARDIN CLEANERS LLC	UNIFORM MAINTENANCE/BRINKMAN	01-200-000-56800	7.97
15890	PACK AND SHIP PLUS	DELIVERY TO MI/ CJ PIERCE CASE	01-200-000-57250	20.96
BUBRICKS	BUBRICK'S COMPLETE OFFICE, INC	ASSORTED OFFICE SUPPLIES	01-200-000-51950	37.89
STAPLES	WISCONSIN DOCUMENT IMAGING LLC	4753 BLACK COPIES	01-200-000-51600	63.69
STAPLES		1176 COLOR COPIES	01-200-000-51600	47.04
US BANK	US BANK EQUIPMENT FINANCE	RICOH COPIER 38 OF 48	01-200-000-55650	167.00
US BANK		PROPERTY DAMAGE SURCHARGE	01-200-000-55650	27.02
TOTAL				371.57
TOTAL POLICE DEPARTMENT				371.57
POLICE DEPARTMENT/PATROL				
01766	AURORA MEDICAL GROUP	MRO REVIEW/SCHMIDT	01-215-000-57100	8.00
02005	BAY ELECTRONICS, INC.	RADIO INSTALLTION/LT VEHICLE	01-215-000-57550	755.63
04575	DOOR COUNTY HARDWARE	ELECTRICAL TAPE	01-215-000-54999	7.18
04575		KEY & REMOTE	01-215-000-58600	160.37
06650	GALLS, AN ARAMARK COMPANY	UNIFORM PANTS/HOUGAARD	01-215-000-52900	134.40
14875	NWTC GREEN BAY	INTRVIEW-INTERR TRNING/SHEW	01-215-000-55600	175.00
14875		INTRVIEW-INTERR TRNING/SNOVER	01-215-000-55600	175.00
19368	STAGE COACH CAR WASH LLC	149 SQUAD WASH TOKENS @ 6.00EA	01-215-000-58550	894.00
21450	THE UNIFORM SHOPPE	UNIFORM CLOTHING/SCHMIDT	01-215-000-52900	453.80

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GENERAL FUND				
21450		SHIPPING	01-215-000-52900	12.00
21450		SHIRT/CRABB	01-215-000-52900	43.95
21450		UNIFORM ITEMS/JENNERJOHN	01-215-000-52900	127.80
ALBERTSO	JASON ALBERTSON	FUEL REIMBURSE/ALBERTSON	01-215-000-51650	28.60
CRABB	ANDREW CRABB	LODGING /CRABB	01-215-000-55600	600.00
CRABB		MEALS/CRAB	01-215-000-55600	74.28
HAACK	TREVOR HAACK	TRNING MEAL EXPNSE/HAACK	01-215-000-55600	12.32
HAACK		TRNING MEAL EXPNSE/HAACK	01-215-000-55600	8.05
HAACK		FUEL	01-215-000-55600	45.00
HAACK		MEALS/HAACK	01-215-000-55600	78.30
HAACK		TRNING MEAL/HAACK	01-215-000-55600	9.56
HOUGAARD	CHAD HOUGAARD	CLOTHING/HOUGAARD	01-215-000-52900	89.98
JIM FORD	JIM OLSON FORD-LINCOLN, LLC	SQUAD 50 MAINTENANCE	01-215-000-58600	420.10
JIM FORD		SQUAD 40 MAINTENANCE	01-215-000-58600	583.02
JIM FORD		CSO VEHICLE MAINTENANCE	01-215-000-58600	36.84
JIM FORD		CSO VEHICLE MAINTENANCE	01-215-000-58600	1,404.91
O'REILLY	O'REILLY AUTO PARTS-FIRST CALL	ASSRTED SQUAD PARTS	01-215-000-58600	52.88
O'REILLY		WIRE & TOGGLE SWITCH	01-215-000-58600	44.47
O'REILLY		JCASE FUSE	01-215-000-58600	4.99
O'REILLY		PHONE HOLDER	01-215-000-58250	12.99
TOTAL				6,453.42
TOTAL POLICE DEPARTMENT/PATROL				6,453.42
POLICE DEPT. / INVESTIGATIONS				
ACCURINT	LEXISNEXIS RISK SOLUTIONS	03/19 CONTRACT FEES	01-225-000-57950	105.00
TOTAL				105.00
TOTAL POLICE DEPT. / INVESTIGATIONS				105.00
FIRE DEPARTMENT				
02005	BAY ELECTRONICS, INC.	PAGER PARTS	01-250-000-57550	36.27
02005		PAGER PROGRAM	01-250-000-57550	135.00
02960	C & W AUTO	TIRE REPAIR/SERVICE/CH 10	01-250-000-53000	75.00
04575	DOOR COUNTY HARDWARE	ENDCAP	01-250-000-54999	7.59
04575		FASTENERS	01-250-000-54999	3.84
04575		FREIGHT	01-250-000-54999	21.18
04575		BUNGEE CORD	01-250-000-54999	4.99
04575		ASSORTED SUPPLIES	01-250-000-54999	35.04
04575		CORED HEX HD PLUG	01-250-000-54999	2.49
04575		COPPER TUBE,FASTENERS,NUTS	01-250-000-54999	12.67
04575		SUPPLIES	01-250-000-54999	22.15
04575		CAUTION TAPE/SCRAPER	01-250-000-54999	25.98
04575		PADLOCK	01-250-000-54999	22.99
06650	GALLS, AN ARAMARK COMPANY	SHIRTS	01-250-000-52900	91.98
06650		PANTS	01-250-000-52900	51.99
06650		PANTS	01-250-000-52900	51.95
06650		CREDIT RETURN	01-250-000-52900	-81.98
14875	NWTC GREEN BAY	EMR BOOK/SUPPLIES	01-250-000-56000	23.97
14875		EMR OFFICE BOOKS/SUPPLIES	01-250-000-56000	185.20

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VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
20725	T R COCHART TIRE CENTER	TIRE REPAIR/ROTATE-CH10	01-250-000-53000	35.00
O'REILLY	O'REILLY AUTO PARTS-FIRST CALL	PRIMARY WIRE/WIRE LOOM	01-250-000-53000	20.29
O'REILLY		CONNECTOR	01-250-000-53000	3.49
PAULCONW	PAUL CONWAY SHIELDS	FLOW TESTING HOSE	01-250-000-56250	195.79
PAULCONW		NEW EMPLOYEE SHIELD #	01-250-000-52950	28.49
PAULCONW		STREAMLIGHT	01-250-000-52900	73.00
PAULCONW		ROPE BAG	01-250-000-51350	52.00
PAULCONW		SCBA ADAPTOR	01-250-000-51350	52.08
TOTAL				1,188.44
TOTAL FIRE DEPARTMENT				1,188.44
STREET SWEEPING				
02844	BRUCE MUNICIPAL EQUIPMENT INC	STREET SWEEPR REPAIRS LABOR	01-330-000-51400	1,274.40
02844		SHOP SUPPLIES	01-330-000-51400	63.72
TOTAL				1,338.12
TOTAL STREET SWEEPING				1,338.12
SNOW REMOVAL				
13150	MASTERCRAFT WELDING SYSTEM	FLAT BAR STEEL	01-410-000-51400	40.00
19070	SCHARTNER IMPLEMENT INC	BOLTS/SALTER	01-410-000-51400	32.80
GRAY'S	GRAY'S INC.	FLOW BLADE	01-410-000-51400	351.95
GRAY'S		SHIPPING	01-410-000-51400	10.00
TOTAL				434.75
TOTAL SNOW REMOVAL				434.75
STREET MACHINERY				
06012	FASTENAL COMPANY	COVERALLS	01-450-000-52150	123.48
11880	L&S TRUCK CENTER	FUEL SUPPLY TUBE	01-450-000-53000	39.76
11880		FUEL DRAIN TUBE	01-450-000-53000	72.50
11880		BANJO FITTING	01-450-000-53000	24.89
11880		WASHERS,CLAMP,CONNECTRS	01-450-000-53000	23.28
11880		SHIPPING	01-450-000-53000	30.77
13150	MASTERCRAFT WELDING SYSTEM	SQUARE TUBING	01-450-000-52150	64.80
AMERWELD	AMERICAN WELDING & GAS, INC	BOTTLED GAS	01-450-000-52150	152.85
AMERWELD		GAS CYLINDER FILL UP	01-450-000-54999	133.17
TOTAL				665.50
TOTAL STREET MACHINERY				665.50
CITY GARAGE				
01766	AURORA MEDICAL GROUP	QRTL Y DRUG SCREENING	01-460-000-57100	25.00

INVOICES DUE ON/BEFORE 04/16/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE

GENERAL FUND				
BLUE TRP	BLUE TARP FINANCIAL	RENEWAL OF ADVNTAGE MMBRSHIP	01-460-000-54999	39.99
PREVEA	PREVEA HEALTH WORKMED	POST ACCIDENT ALCOHOL TEST	01-460-000-57100	25.20
TOTAL				90.19
TOTAL CITY GARAGE				90.19
HIGHWAYS - GENERAL				
GIESSEMA	CASEY GIESSEMAN	SAFETY CLOTHING/GEISSEMAN	01-499-000-56800	82.53
TOTAL				82.53
TOTAL HIGHWAYS - GENERAL				82.53
PARKS AND PLAYGROUNDS				
03025	CAPTAIN COMMODES INC	PORT A POTTIE RENTAL	01-510-000-54999	75.00
03025		SALT WATER CHARGE	01-510-000-54999	6.00
08225	HERLACHE SMALL ENGINE	PULL CHOKE BASE	01-510-000-52700	8.25
12100	LAMPERT YARDS INC	WOOD BOARD-BENCHES	01-510-000-51800	17.19
13360	MENARDS-GREEN BAY EAST	6 2X10X12 DOUGLAS FIR	01-510-000-51800	80.94
19070	SCHARTNER IMPLEMENT INC	TRACTOR O-RING	01-510-000-58600	4.95
19070		PRESSURE REGULATOR VALVE	01-510-000-58600	47.25
19070		FUEL GAUGE	01-510-000-58600	194.00
19070		4 HRS LABOR @ \$75.00	01-510-000-58600	300.00
19880	STURGEON BAY UTILITIES	LED LIGHTS STNE HRBR PRK LOT	01-510-000-54999	504.75
AKTRUCK	A & K TRUCKLAND, INC	PLOW VALVE	01-510-000-53000	61.00
PIKE	PIKE SYSTEMS, INC	CSE REJUVNAL	01-510-000-51850	69.36
PIKE		CSE TOP CLEAN	01-510-000-51850	132.79
PIKE		CSE WINDOW CLEANER	01-510-000-51850	124.71
PIKE		CSE HD SPRAY CLEAN	01-510-000-51850	206.96
PIKE		48 BOTTLES	01-510-000-51850	41.28
PIKE		48 SPRAYERS	01-510-000-51850	54.72
TOTAL				1,929.15
TOTAL PARKS AND PLAYGROUNDS				1,929.15
WATERFRONT PARKS & WALKWAYS				
TRACTOR	TRACTOR SUPPLY CREDIT PLAN	DUCT TAPE/RED FLAGS	01-570-000-52650	21.98
TOTAL				21.98
TOTAL WATERFRONT PARKS & WALKWAYS				21.98
COMMUNITY & ECONOMIC DEVLPMT				
23830	WOLTER ENGRAVING	NAMEPLATE-MARTY	01-900-000-54999	16.00
R0001192	STURGEON BAY VISITOR CENTER	2019 2ND QTR SUPPORT	01-900-000-57800	10,533.06
TOTAL				10,549.06

INVOICES DUE ON/BEFORE 04/16/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE

GENERAL FUND				
TOTAL COMMUNITY & ECONOMIC DEVLPMT				10,549.06
TOTAL GENERAL FUND				33,634.94
CAPITAL FUND				
CITY HALL				
EXPENSE				
07765	GRAINGER INC	SUMP PUMP PRKING STRUCTURE	10-160-000-59999	295.61
TOTAL EXPENSE				295.61
TOTAL CITY HALL				295.61
GENERAL EXPENDITURES				
STAPLES	WISCONSIN DOCUMENT IMAGING LLC	CLERK OFFICE COPIER	10-199-000-59045	7,295.00
TOTAL				7,295.00
TOTAL GENERAL EXPENDITURES				7,295.00
PARKS AND PLAYGROUNDS				
EXPENSE				
04575	DOOR COUNTY HARDWARE	DRILL BITS	10-510-000-59075	13.99
04575		METAL STRAP	10-510-000-59075	1.78
04575		FASTENERS	10-510-000-59075	2.25
04575		REWARDS CREDIT	10-510-000-59075	-10.00
04575		ASSORTED MATERIALS	10-510-000-59075	69.47
TOTAL EXPENSE				77.49
TOTAL PARKS AND PLAYGROUNDS				77.49
TOTAL CAPITAL FUND				7,668.10
CABLE TV				
CABLE TV / GENERAL				
CABLE TV / GENERAL				
02975	CAMERA CORNER	AUDIO INSTALL EQUIP/NEW SERVER	21-000-000-59070	4,291.25
03159	CHARTER COMMUNICATIONS	03/19 CB MUSIC SVC	21-000-000-58999	65.97
QUANTUM	QUANTUM PC SERVICES	DISPLAY PORT ADAPTER	21-000-000-52700	19.99
QUANTUM		HDMI CABLE	21-000-000-52700	17.98
TOTAL CABLE TV / GENERAL				4,395.19
TOTAL CABLE TV / GENERAL				4,395.19
TOTAL CABLE TV				4,395.19

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TID #4 DISTRICT				
TID #4 DISTRICT				
TID #4 DISTRICT				
03950	DAVIS KUELTHAU	02/19 GRANARY MATTERS	28-340-000-55001	17,262.92
STAFFORD	STAFFORD ROSENBAUM LLP	01/19 OHWM MATTERS	28-340-000-55001	110.00
STAFFORD		02/19 OHWM MATTERS	28-340-000-55001	235.95
TOTAL TID #4 DISTRICT				17,608.87
TOTAL TID #4 DISTRICT				17,608.87
TOTAL TID #4 DISTRICT				17,608.87
SOLID WASTE ENTERPRISE				
SOLID WASTE ENTERPRISE FUND				
SOLID WASTE ENTERPRISE FUND				
04603	HALRON LUBRICANTS INC	USED OIL PICKUP-200 G	60-000-000-52050	30.00
20725	T R COCHART TIRE CENTER	TIRE CHANGE/GARBAGE TRCK	60-000-000-52850	60.00
BRIDGEPO	BRIDGEPORT MANUFACTURING, INC	FUEL MANIFOLD	60-000-000-53000	275.92
JX ENT	JX ENTERPRISES, INC.	HOSE HOLDERS	60-000-000-53000	8.50
JX ENT		SHACKLES	60-000-000-53000	146.24
JX ENT		HARDWARE	60-000-000-53000	23.20
TOTAL SOLID WASTE ENTERPRISE FUND				543.86
TOTAL SOLID WASTE ENTERPRISE FUND				543.86
TOTAL SOLID WASTE ENTERPRISE				543.86
TOTAL ALL FUNDS				63,850.96

MANUAL CHECKS

DELTA DENTAL	\$5,963.21
04/01/19	
Check # 84934	
04/19 Dental Insurance	
Various Departmental Accounts	
 NETWORK HEALTH	 \$68,752.56
04/04/19	
Check # 84985	
04/19 Health Insurance	
Various Departmental Accounts	
 TOTAL MANUAL CHECKS	 \$74,715.77

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INVOICES DUE ON/BEFORE 04/16/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
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SUMMARY OF FUNDS:

GENERAL FUND	33,634.94	108,350.71
CAPITAL FUND	7,668.10	
CABLE TV	4,395.19	
TID #4 DISTRICT	17,608.87	
SOLID WASTE ENTERPRISE	543.86	

TOTAL --- ALL FUNDS	63,850.96	138,566.73

Darryl Ward 4/9/19
Barbara Allen 4-9-19
SARA WINTERLANDSKY 4/9/19

COMMON COUNCIL
April 2, 2019

A regular meeting of the Common Council was called to order at 7:01 p.m. by Mayor Birmingham. The Pledge of Allegiance was recited. Roll call: Catarozoli, Hayes, Ward, Avenson, Allmann, Wiederanders and Hauser were present.

Ward/Catarozoli to adopt the agenda. Carried.

The following people spoke during public comment: Scott Moore, 947 Pennsylvania St.; Chris Kellems 120 Alabama St.

Ward/Allmann to approve the following bills - General Fund - \$64,311.80, Capital Fund - \$8,169.90, Cable TV - \$5,634.14, TID #4 District - \$3,877.40 and Solid Waste Enterprise-\$1,910.98 for a grand total of \$83,904.25. Roll call: All voted aye. Carried.

Ward/Catarozoli to approve consent agenda.

- a. Approval of 03/19/19 regular Common Council minutes.
- b. Approval of following minutes:
 - (1) Bicycle & Pedestrian Advisory Board -3/4/19
 - (2) Finance/Purchasing & Building Committee - 3/12/19
 - (3) Community Protection & Services Committee -3/13/19
 - (4) Ad Hoc West Waterfront Planning Committee - 3/14/19
 - (5) Parking & Traffic Committee - 3/18/19
- c. Place the following reports on file:
 - (1) Inspection Department Report - February 2019
- d. Consideration of: Approval of beverage operator license.
- e. Consideration of: Approval of Temporary Class B Wine license.
- f. Consideration of: approval of Temporary Class B Wine and Temporary Class B Beer license.
- g. Finance/Purchasing & Building Committee recommendation re: Approve the sale of the temporary and permanent easement of the City property located at 1531 Division Road, parcel #281-68-170001102 in the amount of \$11,517.00.
- h. Community Protection & Services Committee recommendation re: Adopt the Elected Officials Cellular Phone Use Policy.
- i. Parking & Traffic Committee recommendation re: Change all hourly parking signs to read, tow hour parking between 7 a.m. and 6 p.m., with the designated parking permit zone as described in the ordinance.
- j. Parking & Traffic Committee recommendation re: Install the no parking sign on the south side of Iowa St. between N. 3rd Ave. and N. 4th Ave.

Carried.

There were no mayoral appointments

Catarozoli/Allmann to adopt the resolution increasing the tourist rooming house permit fee to \$100. Carried with Avenson abstaining.

A public hearing re: Text amendment to Section 20.29(1) of the Municipal Code- Zoning Code- Accessory Building Height Requirements was opened at 7:19 p.m. The public hearing was declared closed at 7:22 p.m.

Hauser/Avenson to read in title only the first reading of ordinance re: Text amendment to Section 20.29(1) of the Municipal Code-Zoning code- Accessory Building Height Requirements. Discussion took place on pitch and sidewall heights and options for variance. Carried.

A public hearing re: Text amendment from Section 20.10(2)(c)11 of the Municipal Code-Zoning Code-Detached accessory Dwelling Units was opened at 7:32pm. The public hearing was declared closed at 7:36pm.

Catarozoli/Hauser to read in to read in title only the first reading of ordinance re: Text amendment from Section 20.10(2)(c)11 of the Municipal Code-Zoning Code-Detached accessory Dwelling Units. Discussion took place on parking requirement for ADU permit Carried.

Allmann/Catarozoli to read in title only the first reading of ordinance re: Creating of Chapter 35 of the Municipal Code-Code of Conduct. Discussion took place regarding who the term “administration” is defining .Carried.

Catarozoli/Allmann to read in title only the first reading of ordinance re: Creation of Chapter 36 of the Municipal Code –Code of Ethics. Discussion took place regarding conflicts of interest and personal interest, defining who should be on the board, voting structure and the need to include a training requirement within the ordinance. Carried.

City Engineer Shefchik summarized the agenda item regarding the City assuming the maintenance or removal of the haul road that WPS will put for their gas line project. The haul road would follow the same location as the planned bike/pedestrian trail. The DOT is requesting the city to either remove the partial trail left by WPS or complete the pedestrian/bike trail project by 2021. Discussions continued on grants sources available to complete the trail project. Ward/Catarozoli to approve assuming maintenance/removal responsibility of WPS temporary haul road within highway 42-57 right of way. Carried.

Catarozoli/Allmann to override Mayoral veto of Council action approving Development Agreement between City of Sturgeon Bay and Sturgeon Bay Historical Society Foundation, Inc. for Teweles and Brandeis Granary as posting on the March 19, 2019 Common Council agenda. Carried with Ward and Wiederanders voting no.

Items to be included in on future agendas. Hayes-Discussion & confirmation of Mayoral appointments in open session; Funding for Alderpersons and Mayor to attend League of Women Voters Local Government 101 training; Update on Comprehensive Plan
Avenson-Update on Prat
Hauser-Discussion on affordable housing plan re: Housing Study

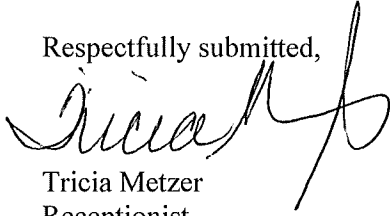
City Administrator gave his report.

City Plan Commission member Hauser, Finance/Purchasing & Building Committee Chr. Ward, Park & Recreation Committee Chr. Hauser presented reports for their respective committees/commissions.

The Mayor made his comments.

Catarozoli/Allmann to adjourn. Carried. The meeting adjourned at 9:12pm.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Tricia Metzger", with a large, stylized flourish extending from the end of the signature.

Tricia Metzger
Receptionist

AESTHETIC DESIGN & SITE PLAN REVIEW BOARD

Monday, February 25, 2019

The Aesthetic Design & Site Plan Review Board meeting was called to order at 6:02 p.m. by Chairman Mark Lake in the Council Chambers, City Hall 421 Michigan St.

Roll call: Members Mark Lake, Dave Augustson, Jon Burk, and Mark Struck were present. Members Josh Van Lieshout and Cindy Weber were excused. Dennis Statz was absent.

Also present were Planning/Zoning Administrator Mr. Sullivan-Robinson and Assessing Dept. Clerk Peggy Tong, Cliff White Operations Manager for Sturgeon Bay Utilities and Kelly Clafin Construction Project Manager Keller, Inc.

Adoption of amended agenda:

1. Roll call.
2. Adoption of amended agenda.
3. Approval of minutes from 10/22/2018.
4. Consideration of: Proposed accessory building for SBU 230 E Vine Ct.
5. Consideration of: Chairman Approvals
6. Adjourn

Adoption of amended agenda: Moved by Mr. Augustson seconded by Mr. Burk. Adopt the amended agenda. Carried.

Approval of minutes from October 22, 2018: Moved by Mr. Augustson, seconded by Mr. Burk to approve the minutes as presented. All ayes, carried.

Consideration of: Proposed accessory building for SBU 230 E Vine Ct. Mr. White explained what they intend to do. They will be replacing an existing building with a new 3-sided building. The use is intended for storage of equipment and transformers, which are currently out in the open on the existing gravel lot. Keller Inc. is the builder.

Mr. Clafin Architect and Construction Manager for the project continued. It is a pre-engineered building by Kirby. The siding is warm white, to blend in with the existing structures. The columns inside will be painted bronze. The roof is a flat with a Kynar Painted Finish. The finish on the roofing panels weathers exceptionally well and does not fade like older types of finishes. No additional impervious surface will be created, they will use the existing slab and an additional 50 feet of existing gravel. The Contractor is Cardinal Construction, we are expecting an April start with a June end date.

Mr. Sullivan indicated no additional landscaping or storm water additions, will be needed.

Moved by Mr. Burk, seconded by Mr. Augustson to accept as presented.

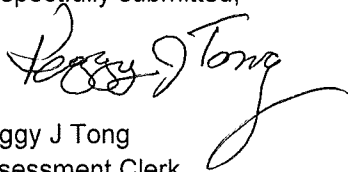
Consideration of: Chairman Approvals. This was informational only, it is simply to let the committee know what projects had been approved by the chairman prior to this meeting.

1. NWTC Sign replacement and new directional sign.
2. DCMC Rehabilitation Center signage.
3. Best Western 10' x 15' building addition for an elevator.
4. Anna's Healthcare wooden fence addition.
5. Door Fleur's and Orchard sign addition.
6. Shorewest Realtors New signage.
7. Sure Store signage.

Discussion took place, and all the approvals were accepted by the committee.

Adjourn Motion by Mr. Burk, seconded by Mr. Statz to adjourn the meeting. All ayes, carried. The meeting adjourned at 7:22 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peggy J Tong". The signature is fluid and cursive, with a long, sweeping tail on the letter "g".

Peggy J Tong
Assessment Clerk

AESTHETIC DESIGN & SITE PLAN REVIEW BOARD

Monday, March 11, 2019

The Aesthetic Design & Site Plan Review Board was called to order at 6:00 p.m. by Acting Chair Dennis Statz in the Council Chambers, City Hall, 421 Michigan St.

Roll call: Members Jon Burk, Cindy Weber, Dennis Statz, Josh Van Lieshout and Dave Augustson were present. Mark Struck and Mark Lake were excused.

Also present were Planning/Zoning Administrator Mr. Sullivan-Robinson and Assessing Dept. Clerk Peggy Tong, Architect Brad Koning representing Sketchworks Architecture LLC, and Alderperson Laurel Hauser.

Adoption of amended agenda:

1. Roll call.
2. Adoption of agenda.
3. Consideration of: Façade changes for TJ Maxx, 1300 Egg Harbor Road.
4. Consideration of: Installation of two canopies for Door County Medical Center, 1300 Egg Harbor Road.
5. Consideration of: Chairman Approvals since February 25, 2019.
6. Adjourn.

Moved by Ms. Weber to adopt the agenda, seconded by Mr. Augustson. All ayes. Carried.

Consideration of: Façade changes for TJ Maxx, 1300 Egg Harbor Road. Mr. Koning representing Cherry Point Mall, presented the proposed changes for the TJ Maxx façade. This retail store will be moving next to the Dollar Store which is the area currently being used by Door County Memorial Rehab and Financial offices. The space is 21,000 square feet. A new parapet is proposed which will 62 feet in length and will project above the existing roof line five feet. They will be consolidating the store front and adding windows and a larger entrance.

The existing two pillars will be revised and will include a stone base and stucco to match the existing material. Signage for TJ Maxx will be brought back to the committee at a later date.

Mr. Van Lieshout asked about the red color to be used behind the letters of the sign and explained that the red color should match the existing cooperative ground signs located on this property. Mr. Koning indicated they would try and incorporate and match the existing colors.

Mr. Statz asked about the location of the store within the mall. Mr. Koning stated the store will be located between the Dollar Store and Shoe Sensations.

Ms. Weber questioned if the entry will be ADA accessible. Mr. Koning stated that the curbing will be revised to follow ADA requirements. There will be a new six foot long ramp for the new entry. The hospital will be moving out starting in April. The interior remodeling will begin as soon as they let us know they are done. Construction for the project will start in April, and we anticipate to be done in June.

All existing doors and windows will be replaced, any infilling of walls will be done in the same masonry as is existing.

Moved by Ms. Weber to issue a certificate of appropriateness as presented, seconded by Mr. Statz. All ayes, Carried.

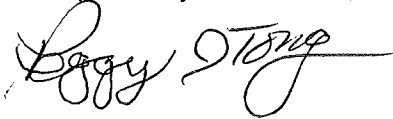
Consideration of: Installation of two canopies for Door County Medical Center, 1300 Egg Harbor Road. Mr. Koning also presented this item. There are two new canopies proposed for the Door County Medical Center, including a twelve foot wide blue canopy above the Rehab Center and a bronze canopy above the finance division. The finance division will be relocating their original sign onto the façade above the awning. There was some concern for the wind and snow loads. Mr. Koning reassured the committee their awnings are designed appropriately for that.

Moved by Ms. Weber to issue a certificate of appropriateness as presented, seconded by Mr. Statz. Four ayes one nay by Mr. Van Lieshout, Carried.

Consideration of: Chairman approvals since February 25, 2019. No Action needed.

Adjourn. Moved by Ms. Weber to adjourn, seconded by, Mr. Van Lieshout. All ayes, Carried.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Peggy J Tong", with a long horizontal flourish extending to the right.

Peggy J Tong
Assessment Clerk

FINANCE/PURCHASING & BUILDING COMMITTEE

March 26, 2019

A meeting of the Finance/Purchasing & Building Committee was called to order at 4:01 pm by Chairperson Ward in the Council Chambers, City Hall. Roll call: Alderpersons Ward, Allmann and Wiederanders were present. Also present: Finance Director/City Treasurer Clarizio, Public Works Crew Supervisor Wiegand, 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. Consideration of: Write-off and/or pursue small claims action of 2017 delinquent Personal Property tax accounts.
5. Consideration of: Surplus Property.
6. Consideration of: Award of Bid for a 2019 One Ton truck with Dump Box.
7. Consideration of: Award of Bid for a 2019 Ford F-550 truck with Dump Box.
8. Review bills.
9. Adjourn.

Carried.

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

Consideration of: Write off and/or pursue small claims action of 2017 Delinquent Personal Property tax accounts.

Finance Director/City Treasurer Clarizio presented the list of delinquent personal property tax accounts for 2017 due in 2018. Per state statute the accounts qualify for chargeback to the relevant taxing jurisdictions. Only the City portion in the amount \$ 1,475.05 is proposed for write-off.

Moved by Alderperson Ward, seconded by Alderperson Allmann to recommend to Common Council to write off the following 2017 delinquent personal property tax account bills in the amount of \$1,475.05.

Write-off list

<u>Tax Account #</u>	<u>Name</u>	<u>Proposed Write-off Amount</u>
281-0290	Jeffrey Slavik, DDS	\$ 267.87
281-0293	H&R Block	\$ 202.59
281-0955	Cherry Lanes Bowling Alley	\$ 217.09
281-1180	Continental Investors, LLC	\$ 731.54
281-1224	Center for Optimal Health	\$ 55.96
	Total	\$ 1,475.05

Carried.

Consideration of Surplus Property:

After a brief discussion it was moved by Alderperson Allmann, seconded by Alderperson Wiederanders to declare the following items as surplus and allow the City Administrator to determine the best method for liquidation.

<u>Item</u>	<u>General Condition</u>	<u>Yr. acquired</u>	<u>Original cost</u>
Savin Copier	Doesn't Work	2002	\$ 11,435.00
Savin Copier	Poor	2007	\$ 5,970.00

Carried.

Consideration of: Award of Bid for a 2019 One Ton Truck with Dump Box:

Public Works Crew Supervisor Wiegand presented the following bids for the purchase of a 2019 one ton truck with a dump box, \$50,000 less \$1,000 trade was allocated in the 2019 budget for the vehicle.

	<u>Bid</u>	<u>Dump Box</u>	<u>Trade In</u>	<u>Final Cost</u>
Jim Olson Ford	\$27,235	\$15,756	\$4,000	\$38,991
Ewald Auto Group	\$27,590	\$15,856	\$3,000	\$40,446
L&S Truck Center	\$28,317	\$15,756	\$4,000	\$40,073

Moved by Alderperson Ward, seconded by Alderperson Allmann to recommend to Common Council to purchase a Ford F-350 R/C 4x2 from Jim Olson Ford in an amount not to exceed \$38,991, including trade in of a 2001 Chevrolet 3500. Carried.

Consideration of: Award of Bid for a 2019 Ford F-550 Truck with Dump Box:

Public Works Crew Supervisor Wiegand presented the following bids for the purchase of a 2019 4x4 Ford-550 with a dump box, \$85,000 less \$5,000 was allocated in the 2019 budget for the vehicle.

	<u>Bid</u>	<u>Trade In</u>	<u>Final Cost</u>
L&S Truck Center	\$85,275	\$17,000	\$68,166
Jim Olson Ford	\$85,166	\$12,000	\$73,275
Ewald Auto Group	\$83,885	\$ 7,500	\$76,385

Moved by Alderperson Allmann, seconded by Alderperson Wiederanders to recommend to Common Council to purchase a Ford F-550 4x4 with dump box from L&S Truck Center, Appleton WI in an amount not to exceed \$68,166, including the trade in of a 2007 Ford F-550. Carried.

Review bills

Moved by Alderperson Allmann, 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 4:23 pm.

Respectfully submitted,


Tricia Metzger

WATERFRONT REDEVELOPMENT AUTHORITY

Tuesday, April 2, 2019

Chairman Herlache was only available by conference call, so he requested that Mr. Ward be acting chair.

A meeting of the Waterfront Redevelopment Authority was called to order at 2:30 p.m. by Acting Chairman David Ward in Council Chambers, City Hall, 421 Michigan Street.

Roll call: Members Ryan Hoernke, David Ward, Cindy Weber, and Laurel Hauser were present. Tom Herlache was present by telephone conference call. Excused: Member John Asher. Member Chris Jeanquart entered the meeting at 2:37 p.m. Also present were Alderpersons Kelly Catarozoli and Kelly Avenson. Mayor Thad Birmingham, City Administrator Josh Van Lieshout, Community Development Director Marty Olejniczak, and Community Development Secretary Cheryl Nault.

Adoption of agenda: Moved by Ms. Hauser, seconded by Mr. Hoernke to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from January 24, 2019.
4. Convene in closed session in accordance with the following exemptions:
 - a. Conferring with legal counsel for the 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).
 - i. Consideration of: Withdrawal of the Waterfront Redevelopment Authority from the appeal of the judgement of Door County Circuit Court Case 16- CV-23 (Court of Appeals Case 2017AP800).

Move 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. The Waterfront Redevelopment Authority may adjourn in closed session.
5. Adjourn.

Carried.

Approval of minutes from January 24, 2019: Moved by Mr. Hoernke, seconded by Ms. Hauser to approve the minutes from January 24, 2019 with two minor changes. Adoption of agenda should be seconded by Ms. Hauser instead of Mr.; and in the third paragraph on page 2, the word site should be added after granary in the 5th line.

Convene in closed session in accordance with the following exemptions:

- a. Conferring with legal counsel for the 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).
 - i. Consideration of: Withdrawal of the Waterfront Redevelopment Authority from the appeal of the judgement of Door County Circuit Court Case 16- CV-23 (Court of

Appeals Case 2017AP800).

Move 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. The Waterfront Redevelopment Authority may adjourn in closed session: After Acting Chairperson Ward announced the statutory basis, it was moved by Mr. Ward, seconded by Mr. Hoernke to convene in closed session at 2:34 p.m. in 2nd Floor Conference Room. Roll call vote. All ayes. Carried.

Moved by Mr. Herlache, seconded by Mr. Jeanquart to adjourn. All ayes. Carried. Meeting adjourned in closed session at 3:11 p.m.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Cheryl Nault".

Cheryl Nault
Community Development Secretary

CITY PLAN COMMISSION

Wednesday, April 3, 2019

A meeting of the City Plan Commission was called to order at 6:01 p.m. by Acting Chairperson Dennis Statz in the Council Chambers, City Hall, 421 Michigan Street.

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

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

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from February 20, 2019.
4. Combined Preliminary/Final Planned Unit Development for Aaron Hilpipre, for property located at 709 Jefferson Street:
 - Presentation
 - Public Hearing
 - Consideration of
5. Conditional use request from Wisconsin Public Service for a gas regulator station, located at 1843 Michigan Street.
 - Presentation
 - Public hearing
 - Consideration of
6. Consideration of: Tourist Rooming House Code text amendment.
7. Public comment on non-agenda Plan Commission related items.
8. Adjourn

Carried.

Approval of minutes from February 20, 2019: Moved by Ms. Hauser, seconded by Mr. Norland to approve the minutes from February 20, 2019. All ayes. Carried.

Combined Preliminary/Final Planned Unit Development for Aaron Hilpipre, for property located at 709 Jefferson Street:

Presentation: Aaron Hilpipre, 1211 Fox River Dr., DePere, WI, stated that he owns the property on the corner of Jefferson Street and 7th Avenue. There are four apartments. The ground floor of the main building is vacant. At one time it was two apartments and the previous owner used the ground floor as storefront. It was recommended to him to have everything changed over to residential. There are a total of 6 units. It was suggested to apply for a planned unit development.

Mr. Sullivan-Robinson stated that a conceptual review was held at a previous meeting. There are two buildings on the property. As Mr. Hilpipre stated, the first building has two upper residential units and commercial space on the lower level. The second building, located at the northeast corner of the property, contains two single residential units. He would like to convert the commercial space into two more single residential units. Under normal zoning, they could do multifamily, but would he not be able to meet the density standards of the code, which is the reason for going through this process. According to the Comprehensive Plan, this property is

meant to be transitional commercial in the future. It allows for a mix of commercial, residential and multifamily. The access is off of 7th Avenue with a shared driveway and some parking. Under the normal zoning code, 3500 square feet per unit is needed on a lot for multi-family use. The lot is 11,000 square feet. Thus, only three units would be allowed. The parking lot contains eight parking stalls. Under the code, nine stalls would be needed. The shared driveway has no agreement with the neighbor. There are options with parking, such as making a payment in lieu of or to obtain an agreement with the neighbor. There will be no increase in traffic by this change of use. There will be no change in building design. At the last meeting, the Plan Commission members wanted to make sure that all of the units would not be turned into a short-term use. According to the City Attorney, the state code does not allow the City to create this kind of restriction under an ordinance.

Mr. Olejniczak added that it would be inappropriate to include a restriction greater than the state statute in the ordinance if the PUD was approved by ordinance.

Mr. Sullivan-Robinson added, given the history of the use of the property, that staff is not opposed to the density allowance under the proposed project. Staff recommends approval of the PUD, subject to the following parameters:

1. The underlying zoning to remain C-5.
2. The additional off-street parking space shall be met via either written agreement from the adjoining property for collective (shared) parking area or a payment in lieu of providing the final space shall be made. No additional off-street spaces shall be created without approval of the Plan Commission.

Mr. Hilpipe stated that he goes through a marketing company for his rentals and hires a local person for cleaning. His long-term rentals range from \$485 - \$565 per month. There are currently 8 parking stalls that are 9.5 feet wide. He wondered about putting up a fence for the shared driveway. There is a double-wide curb cut and half is on his property and half on the neighbors. He has not had a conversation with the neighbor about the possibility of an agreement.

Mr. Olejniczak stated that the one-time payment in lieu of fee is set by the Parking & Traffic Committee and can range anywhere from \$100 to \$1000.

Mr. Hilpipe stated that three of the units would be short-term rental and eventually three long-term rentals.

Public Hearing: Mr. Statz opened the public hearing at 6:19 p.m.

Aldersperson Kelly Avenson, 46 E Pine St., asked for clarification regarding the state statute if the City can restrict rentals up to seven days for half the year. Mr. Olejniczak responded that they can be restricted.

Terry Ullmann, 1920 Cty U, wondered if there is overnight parking on Jefferson Street. Mr. Olejniczak responded that there are no restrictions in that area except during the winter.

John Hermansen, 948 Memorial Drive, asked if half of the property can be under the 7 day restriction. Mr. Sullivan-Robinson responded that is possible.

Mr. Hilpipe read a very positive review that was received from someone that stayed in one of the units.

There was no correspondence in favor or against the PUD request.

Mr. Statz closed the public hearing at 6:35 p.m.

Consideration of: Mr. Olejniczak added that Mr. Hilpipe would need a license for any rentals less than 30 days. Under the state statute, the City can restrict the rental period to at least 7 days and can also restrict the amount of days he is renting it for short-term to no more than 180 consecutive days in a one year period. That restriction can be placed on some of the units, all of the units, or none of the units. In this case, a new ordinance is being created for this parcel, so zoning rules can be created for what is appropriate.

Mr. Gilson does not agree with the 7 day restriction. It makes no sense for Mr. Hilpipe to have short-term rentals if there is a 7 day restriction. Especially in fall, travelers come for weekends. Long-term rentals help with the low income housing.

Ms. Hauser doesn't like having a separate set of rules for this than all the others. She thought 3 of the units could have the 7 day restriction and 3 short-term rentals.

Ms. Hauser moved to approve the combined preliminary/final PUD request based on the 7 day state statute restriction on three of the units and staff's recommendation.

Mr. Olejniczak reminded the Commission that prior to making a motion, a motion must be made to act on the request at this meeting.

Mr. Norland agreed with Mr. Gilson. This would be the place for short-term rentals. He didn't feel that short-term rentals are part of this discussion, since the Commission was voting on a PUD. He was curious why the owner hasn't made an effort on contacting the neighboring property owner and have a written agreement regarding the shared driveway.

Moved by Ms. Hauser, seconded by Mr. Gilson to act on this request at this meeting.

Moved by Ms. Hauser, seconded by Mr. Statz to recommend to Council to approve the preliminary/final PUD for Aaron Hilpipe, with the restriction that 3 of the units be subject to the 7 day state statute restriction and that the staff recommendations be met.

Mr. Norland still sees no reason for restricting one property.

A vote was taken on the motion. All ayes. Carried.

Conditional use request from Wisconsin Public Service for a gas regulator station, located at 1843 Michigan Street:

Presentation: WPS representatives Lynn Kroll, Jerry Peot, and Lucas Oshefsky presented a powerpoint presentation regarding construction of a proposed gas regulator station to be located at 1843 Michigan Street.

Ms. Kroll stated that WPS is reaching capacity at their present location and would like to add a back-up feed to the existing system, since there is only one feed to the east side. The gas regulator station is a secondary regulating facility that would reduce the pressure to 60 pounds per square inch to serve homes and businesses.

Ms. Kroll stated that discussions were held in 2017 regarding location options. They applied with different sites, such as the east and west Chaudoir sites on 18th Avenue and north and south hospital sites. The proposed site was chosen by the Public Service Commission due to the location of the connection point on Michigan Street. The building would match the surgery center. The building will have 8' sidewalls and a 2/12 pitch. The anticipated project construction will begin spring/summer of 2019. Installation of a 6-foot green fence is their preference for security and safety of equipment. The fence will be located 2 feet off the property line. The equipment would be less noisy than traffic.

Mr. Oshefsky mentioned that the Maple Ridge apartment owner granted a temporary construction easement. There is a verbal and written agreement with the hospital.

Mr. Sullivan-Robinson explained that this is a conditional use request and is their final destination. The property is located on the southwest corner of the hospital property. The 17' x 12' metal structure will be constructed in a 56' x 57' fenced in area. Their first option, which was the Chaudoir property, was not well accepted by the community and City staff. Of the four sites, staff supported this site, although the building did not meet the required setbacks.

Ms. Kroll stated that the Zoning Board of Appeals denied their request for a variance. They will ask the ZBA for reconsideration after changing the design.

Public hearing: Mr. Statz opened the public hearing at 6:57 p.m.

Mr. Sullivan-Robinson stated their lack of hardship was the ability to meet code. The ZBA also had safety concerns, as well as concern of property values being affected. Staff supported the project and thought that this site was the best option and that it was the least impactful to the community. Staff recommend approval of the project, subject to:

1. Obtaining the rear yard variance or otherwise complying with the yard requirement, including relocating the building northerly if necessary.
2. There should be vegetation screening on four sides of the site.

Alderman David Hayes, 111 S 7th Avenue, was concerned of plowing snow at the fence line.

There was no correspondence in favor or against the proposed conditional use.

Mr. Statz closed the public hearing at 7:02 p.m.

Consideration of: Mr. Norland wondered if there were any concerns of traffic accidents. Mr. Peot responded 6-8 foot bollards placed inside the fence is a requirement:

Ms. Hauser thought that the building should have a flatter roof to mimic the hospital roof. That could be recommended to the Aesthetic Design & Site Plan Review Board.

After further discussion, it was moved by Mr. Gilson, seconded by Ms. Hauser to approve the conditional use request, subject to staff's recommendations as stated earlier.

Ms. Hauser amended the motion, seconded by Mr. Statz to design the building to look like it goes with the hospital.

A vote was taken on the amended motion. All ayes. Carried. A vote was then taken on the original motion as amended. All ayes. Carried.

Consideration of: Tourist Rooming House Code text amendment: Mr. Sullivan-Robinson stated that this has been an ongoing discussion. There was no consensus where to go with this. The regulations increased on short term rentals.

Mr. Olejniczak stated that if the proposed ordinance is adopted, it would apply city-wide. The City has the authority to restrict short-term rentals to a 7 day minimum stay. The City can also restrict short-term rental periods to 180 days within a year.

Jennifer Bacon, 728 Georgia Street, stated she manages STRs and has a cleaning company. There is no data to back up anything. A group has been formed that wants to be part of the solution. They want to know about complaints received. You can't dictate when you can be open.

Elaine Carmichael, 4089 Snake Island Road stated that she has a short-term rental, as well as property in the City that might become a short-term rental. Just because you can change something doesn't mean you should.

Lane Kendig, 4089 Snake Island Road and 26 W Pine Street, attended the meeting because of affordable housing. The City needs to focus on affordable housing and how to make those units affordable. He would like to meet with staff or come to another meeting. Short-term rentals are not a solution to affordable housing.

Jan Mills, 714 N 5th Avenue, stated that this is the new wave as far as putting Sturgeon Bay on the map.

Terry Ullman, 1902 County U, stated that he has expanded his business on 3rd Avenue with apartments above. It is benefiting his candy store and owners have come to him purchasing candy to put in their rooms. Door County is a seasonal gig. We need to change with the times. It is good for business and should not be changed.

Alderson Kelly Avenson, 46 E Pine Street, said that she owns two short-term rentals and manages others. She doesn't want to be part of the problem either. This isn't the only issue causing a housing shortage. Minimum wage has not increased. Have we exhausted all options before limiting things?

Phil Rockwell, 368 N 3rd Avenue, owns a one bedroom AirBnB, Door County Traders, and an 8-plex on 4th Avenue with his mother. It is difficult to think that you can't do business in your own town. He thinks that AirBnB's will self-regulate. Options need to be looked at. It could be looked at yearly.

Cheryl Link, 942 N. Duluth Avenue, stated that she comes to Sturgeon Bay from Colorado every 2-6 months. Her property is too small for a permanent residence. It has been rented almost constantly since December 23rd. If limited she would have to sell her house. Most of her rentals are 3, 4, or 5 nights. She grew up in Sturgeon Bay. She asked to think about the restrictions.

Liz Merner and David Wilkins, 3120 Stevenson Pier Road, Sturgeon Bay, are motel owners in Little Sturgeon. They are not against STR's. But, if you want to run like a hotel, they need to get the same inspections as they do.

Mr. Olejniczak stated that in Wisconsin you can regulate and require additional inspections.

John Hermansen, 948 Memorial Drive, stated that in Madison the owner needs to live in the residence or have someone take on the roll. A responsible party has to be within a reasonable distance.

Commission members added their thoughts. Ms. Hauser suggested to look into what other communities in Wisconsin do.

Mr. Norland would like to know the differences in the regulations.

Ms. Hauser thought a chart of regulations would be helpful for STR's vs. hotels.

Mr. Statz stated we will continue to gather more information.

Public comment on non-agenda Plan Commission related items: Mr. Olejniczak thanked Mr. Hurley for serving on the Commission. He has moved out of the City and is no longer able to remain on the Commission.

Adjourn: Moved by Mr. Gilson, seconded by Mr. Norland to adjourn. All ayes. Carried. Meeting adjourned at 8:26 p.m.

Respectfully Submitted,



Cheryl Nault

Community Development/Building Inspection Secretary

COMMUNITY PROTECTION & SERVICES COMMITTEE**April 8, 2019**

A meeting of the Community Protection & Services Committee was called to order at 8:30 a.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.

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

1. Roll call
2. Adoption of agenda
3. Consideration of: Text Amendments to Chapter 35, Code of Conduct and Chapter 36, Code of Ethics of the Municipal Code
4. Public Comment on Non-Agenda Items
5. Adjourn

Amendments to Chapter 35, Code of Conduct and Chapter 36, Code of Ethics

The item was brought back to Committee per Council. Discussion to amendments to Chapter 35, Code of Conduct and Chapter 36, Code of Ethics were discussed.

First item discussed under Chapter 35, Code of Conduct, regarded implementing a conflict of interest disclosure to incoming members of all boards, committees and commissions.

Moved by Ms. Catarozoli, seconded by Mr. Wiederanders to recommend to the Common Council that staff adapt a form to be signed by all newly elected officials, and those appointed to City committees and commissions, with the understanding they have read the conflict of interest disclosure regarding Chapter 35, Code of Conduct and Chapter 36, Code of Ethics prior to serving. All ayes. Carried.

The City Administrator, Josh VanLieshout, will instruct staff to create said form.

The second item discussed was under Chapter 36, Code of Ethics, regarding membership of the Ethics Board. Consideration of people who have studied ethics, working or retired, are of interest. Individuals who may serve on other Boards (example: a maritime museum) may pose an issue; however, membership of such would not be. It was decided that former elected officials would be excluded from being able to serve on the Ethics Board.

The third item discussed was under Chapter 36, Code of Ethics, was in regards to how the Ethics Board gets a matter off their agenda and brought to Council. It was decided a two-thirds vote would get an item onto the Council's agenda.

Moved by Ms. Catarozoli, seconded by Ms. Allmann, hereby recommend the Common Council to make the following amendments to Chapter 36 of the Municipal Code, Code of Ethics:

- *Adopt the membership of the Ethics Board to exclude previous elected officials. The makeup of the Ethics Board shall include three members, whereby strong preference shall be given to individuals with a background in ethics training, judiciary background and human resources background; two members to be citizens at large.*
- *Adopt that recommendations from the Ethics Board must be carried by a two-thirds vote to move to a Council agenda.*

All ayes. Carried.

A wording change to Page 12 (3)(a) (line two) and (3)(b) (line one) to include 'or personal' after the word 'financial.'

Also discussed was the \$200 filing fee for a complaint. It was decided that will stay.


The fourth item discussed was under Chapter 36, Code of Ethics, was in regards to what members make up Council when action is required. Per statute, the Mayor is a member when a tie vote is needed. Committee decided throughout the document to define Council action as such.

Public Comment on Non-Agenda Items

None

Moved by Mr. Wiederanders, seconded by Ms. Catarozoli, to adjourn the meeting of the Community Protection Services Committee. All ayes. Carried. The meeting was adjourned at 9:42 a.m.

Respectfully submitted,


Sarah Spude-Olson
Police Department
Administrative Office Manager



STURGEON BAY POLICE DEPARTMENT



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

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

From: Captain Daniel J. Brinkman

Subject: Monthly Report for March, 2019

Date: April 9, 2019

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

Crimes Investigated

The Department, during the month, investigated a total of 41 crimes.

These crimes can be broken down and classified as follows.

Battery.....	01
Bail Jumping.....	01
Death Investigation.....	01
Disorderly Conduct.....	05
Possess Controlled Substance.....	03
Fraud / Forgery.....	07
Domestic Abuse.....	06
Theft.....	10
Criminal Damage to Property.....	02
ICAC.....	02
Sexual Assault.....	01
Weapon Offense.....	01
Threats to Injure.....	01
TOTAL 41	

The above crimes resulted in the loss of \$404 to the community, of which \$100 has been recovered.

Arrests

The Department completed a total of 128 arrests during the month. These arrests encompass violations from traffic to felony, and are listed below by type of violations and number of arrests for each category.

A. Felony Crime Arrest

Bail Jump.....	03
Make Terrorist Threats.....	01
Internet Crimes against Children.....	03
TOTAL	07

B. Misdemeanor Crime Arrests

Disorderly Conduct.....	09
Battery.....	03
Obstruct Police.....	04
Possess Dangerous Weapon at School.....	02
Possess Controlled Substance.....	01
Criminal Damage to Property.....	01
TOTAL	20

Wisconsin Probation & Parole Arrests / Warrant Arrests	16
TOTAL	16

C. Ordinance Violation Arrests

Criminal Damage to Property	01
Lewd/Lascivious Behavior in Public	01
Disorderly Conduct.....	01
Possess Drug Paraphernalia	01
Indecent Conduct/Language in Public	01
Retail Theft	01
TOTAL	06

D. Traffic Crime Arrests

Operate Motor Vehicle while Revoked.....	05
Operating While Intoxicated.....	05
Fail to Obey Officer/Resist	01
No Valid Driver's License	02
TOTAL	13

E. Traffic Violation Arrests

Operate Motor Vehicle while Intoxicated.....	04
Speeding.....	18
Registration Cancelled/Suspended.....	06
Operate Motor Vehicle w/o Insurance.....	07
Operate Motor Vehicle while Suspended.....	10
No Valid License.....	01
Miscellaneous Violations.....	20
TOTAL	66

In addition to the preceding arrests, the Department conducted a total of 200 traffic stops during the month and logged 40 violations for various motor vehicle defects and local ordinances and issued 36 written warnings for those violations. A total of 27 parking tickets were issued for parking violations throughout the city.

Traffic Accidents

The Department during the month investigated a total of 18 vehicle accidents. These accidents are categorized into four types.

A.	Motor Vehicle Accidents Involving Fatalities.....	00
B.	Motor Vehicle Accidents Involving Injuries	03
C.	Motor Vehicle Accidents Involving Property Damage (greater than \$1,000.00)	14
D.	Motor Vehicle Accidents Involving Property Damage (less than \$1,000.00)	01
		TOTAL 18

Police Service Calls

Department members handled 353 service calls during the month. These calls consist of both citizen requests for police service as described below (278), crimes investigated (41), traffic accidents investigated (18), and Wisconsin Probation and Parole Assists (16).

A.	Traffic and Road Incidents	87
	This category consists of all assignments involving assists to stranded motorists, directing traffic, complaints of noisy or otherwise disorderly vehicles, removing obstructions from roadways, and all parking problem complaints.	
B.	Noise Complaints	03
	These complaints involve private parties, licensed liquor establishments, and parties in public places.	
C.	Sick and Injured Persons	07
	Assistance rendered to the Ambulance Service and sick or injured persons.	
D.	Alarms	31
	Officers responded to activated burglar and hold-up alarms at area banks and other business establishments and residences as well as fire alarms.	
E.	Complaints Involving Animals	03
	Investigations by officers of noisy animals, loose animals, animal bites, wild animals and sick, injured or dead animal complaints.	
F.	Civil Disputes	02
	Arguments between neighbors, landlords and tenants, and family members where no crimes have been committed.	
G.	Escorts	00
	Transporting citizens, money escorts for area financial institutions, funerals, and for area industry and farming.	

H. Citizen Assist..... 29

This category is broad and involves such services as assistance in gas drive-off, emergency notifications, attempts to locate people, retrieval of personal property, and vehicle registration assistance.

I. Assistance Rendered to Other Agencies 04

Includes assistance to other law enforcement and government agencies.

J. Suspicious Person / Vehicle / Circumstance..... 20

Involves both citizen complaints and observations by officers on patrol who took investigative action in regard to the suspicious behavior of vehicles and people.

K. Self-Initiated Field Activity 08

All initiated activity by the officer to include, but not limited to, routine security checks of area industries, businesses, city parks, residences, and compliance checks of local liquor establishments.

L. Juvenile Problems..... 08

Requests for police service that strictly involve property calls and all unfounded calls for police service. The calls vary from mischief to family problems to runaway situations.

M. Miscellaneous Incidents 54

Includes arrest warrants served, recovered property calls, and all unfounded calls for police service. This category includes 9-1-1 calls investigated by Department members during the month.

N. Welfare Checks 22

Includes calls to check on the well-being of a person who has not been heard from or seen for a period of time by family, friends, neighbors, or employers.

TOTAL 278

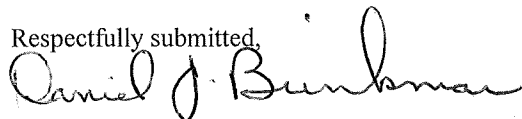
Department Training

The joint dive team and SWAT conducted their monthly training session. Six officers attended a two day seminar on Interviewing Techniques. One officer completed an 8 hour certification course on the use of Pursuit Intervention Techniques and all officers attended a two hour training session on Pathways Diversion Program.

Education

No department education opportunities this month.

Respectfully submitted,



Captain Daniel J. Brinkman

BEVERAGE OPERATOR LICENSE

1. Chaney, Andrea
2. Stai, Carter R.
3. Writt, Brynn M.

RESOLUTION

BE IT RESOLVED, by the Common Council of the City of Sturgeon Bay, that the Door County Advocate is hereby designated as the official newspaper of the City of Sturgeon Bay for the year beginning May 1, 2019 and ending April 30, 2020.

* * * * *

Introduced by _____.

Motion made by Alderperson _____, seconded by

Alderperson _____ to adopt.

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

RESOLUTION DESIGNATING PUBLIC DEPOSITORIES

RESOLVED, the following bank institutions: Nicolet National Bank, Sturgeon Bay, Wisconsin; Associated Bank and Associated Wealth Management, Sturgeon Bay, Wisconsin; Bank of Luxemburg, Sturgeon Bay, Wisconsin; Bank Mutual, Sturgeon Bay, Wisconsin; Huntington Bank, Wisconsin; North Shore Bank, Sturgeon Bay, Wisconsin; Capital Credit Union, Sturgeon Bay, Wisconsin; Raymond James Financial Services, Inc., Sevastopol, Wisconsin; RBC Wealth Management, Sturgeon Bay, Wisconsin; State of Wisconsin Local Government Pooled Investment Fund, Madison, Wisconsin; and the Wisconsin Investment Trust, Milwaukee, Wisconsin qualified as public depositories under Chapter 34 of the Wisconsin Statutes, shall be and are hereby designated, until further action, as public depositories for all public monies coming into the hands of the Treasurer of the City of Sturgeon Bay, Wisconsin, Door County, State of Wisconsin.

RESOLVED FURTHER that draft or order checks drawn on any one of the above named depositories shall be only as provided in Section 66.0607 of the Wisconsin Statutes; that in accordance herewith all draft or order checks shall be signed by the following persons: Mayor, City Clerk, City Treasurer, or the Deputy Clerk or Deputy Treasurer in the absence of the Mayor, Clerk or Treasurer, and shall be so honored.

RESOLVED FURTHER that any transfer orders of the above named depositories shall be signed by two of the following persons: Mayor, City Treasurer, City Clerk, Deputy Treasurer or Deputy Clerk.

RESOLVED FURTHER, that in lieu of their personal signature(s), the following facsimile signatures, which have been adopted by them as below shown

[Note: Copy with facsimile signatures will be provided to depositories]

may be affixed on such order check(s); that any one of the above named depositories shall be fully warranted and protected in making payment on any order check bearing such facsimile(s) notwithstanding that the same may have been placed thereon without the authority of the designated person or persons.

FURTHER RESOLVED, that a certified copy of this resolution shall be delivered to each of the above named depositories, and said depositories may rely on this resolution until changed by lawful resolution and a certified copy of such resolution has been given to the cashier of the respective above named depositories.

* * * *

Read by _____.

Moved by Alderperson _____, and seconded by Alderperson _____ that said resolution be adopted.

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

CHANGE OF AGENT

PVCN, Inc. (dba Apple Valley Lanes), 1217 North 14th Avenue, Sturgeon Bay, WI 54235 is requesting a change of Agent to Michelle J. Pfannenstiel effective April 17, 2019.

This letter is to certify that the agent complies with the necessary regulations, ordinances, and law.

A handwritten signature in black ink, reading "Arleigh R. Porter", is written over a horizontal line.

Arleigh Porter, Chief of Police
City of Sturgeon Bay



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

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

Visit our website at: www.sturgeonbaywi.org

April 3, 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 Beer license:

Sturgeon Bay Bass Tournament LLC
Agent: Gary Nault
711 Hickory Street
Sturgeon Bay, WI 54235
Sawyer Park Pavilion, Neenah Avenue
May 10 – 11, 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

R E C O M M E N D A T I O N

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Joint Park & Recreation Committee/Board, hereby recommend to Council to allow the DCSSA to move forward with the Big Hill Park trail system as discussed in the presentation, with the condition they maintain trails and provide signage, along with getting any permits needed and to have the DCSSA work with Mike Barker on the trail map for the presentation to City Council.

Respectfully submitted,

Park & Recreation COMMITTEE / BOARD

By: Ald Laurel Hauser Chr.

RESOLVED, that the foregoing recommendation be adopted.

Dated: Feb 27, 2019

* * * * *

Moved by Alderperson _____, seconded by Alderperson

_____ that the said recommendation be adopted.

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



Big Hill Park Off-Road Bicycle Trail

3/19/2019

Offered by The Friends of Big Hill Park

Overview

Our group's mission is to offer a safe, fun, accessible, **non-motorized**, off-road bicycle trail at Big Hill Park. We are a volunteer group of passionate mountain bikers that has experience building trails on numerous properties over the years.

Off-road bicycling has a strong following both locally and nationally as a way for kids and adults to enjoy the outdoors and engage in healthy physical activity. This park will benefit the citizens of Sturgeon Bay and its visitors. Currently there is no dedicated, off-road bike trail available in the inventory of Sturgeon Bay's parks.

Specifications

We envision a rustic trail through the wooded areas of Big Hill Park that utilizes the property's unique natural terrain. The trail will be 2-3 miles long. It will be sensitive to the boundaries of the park by **maintaining a 50-foot minimum setback from the property lines**. The trail will be installed with leaf blowers and rakes. No trees will be cut down to create the trail.

Off-road trails of the type we propose are no cost to install and require very little maintenance. The maintenance required will be provided by our group at no expense to the city.

Milestones

Adopt the Park

Our group has filed paperwork with the City of Sturgeon Bay Parks Department to adopt Big Hill Park for the purposes of installing and maintaining the trail as well as policing the area for trash pick-up.

Install the Trail

Once we have received approval from the City of Sturgeon Bay, our group will walk the park to evaluate the site and lay out a proposed trail for approval from the Parks and Rec Department. After reaching an agreement on where *specifically* the trail is to go, our group will install the trail by raking out the path through the woods.

Maintain the Trail

As the trail is used, our group will provide ongoing evaluation to ensure that no dangerous hazards have cropped up and that it is being used appropriately. Because the trail is merely raked off, changes can be made quickly and easily.



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

We, the Finance/Purchasing & Building Committee, hereby recommend to purchase a Ford F-550 4x4 with dump box from L&S Truck Center Appleton, WI in an amount not to exceed \$68,166, including the trade in of a 2007 Ford F-550.

Respectfully submitted,

FINANCE/PURCHASING & BUILDING
David Ward, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: March 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: March 20, 2019

Title: Award of Bid for a 2019 Ford F-550 Truck with Dump Box

Background: On March 20th, 2019 the Municipal Services Department opened bids for a new 2019 4X4 Ford F-550 with a dump box. In accordance with the City of Sturgeon Bay Purchasing & Property Accountability Policy, specifications were prepared and competitive sealed bidding was used to obtain pricing. Three bids were received:

L&S Truck Center Appleton, WI

(1) New Ford F-550 4X4

Purchase Price \$85,275

Trade in Value \$17,000

Final Cost \$68,166

Jim Olson Ford Sturgeon Bay, WI

(1) New Ford F-550 4X4

Purchase Price \$85,166

Trade in Value \$12,000

Final Cost \$73,275

Ewald Auto Group Hartford, WI

(1) New Ford F-550 4X4

Purchase Price \$83,885

Trade in Value \$7,500

Final Cost 76,385

The 2019 capital budget, 10-400-000-59060, included \$85,000 with a trade amount of \$5,000 leaving \$80,000 available for the balance of the purchase of the truck.

I recommend purchasing the new Ford F-550 from L&S Truck Center of Appleton, WI.

Fiscal Impacts: \$68,166 and trade in of our 2007 Ford F-550 valued at \$17,000.

Recommendation: Staff recommends purchasing (1) New Ford F-550 4X4 with dump box from L&S Truck Center Appleton, WI at a price not to exceed \$68,166, including the trade of our 2007 Ford F-550.

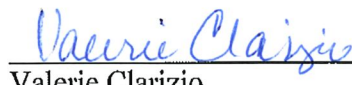
Prepared By:



Mike Barker
Municipal Services Director

Date: 21 MAR 2019

Reviewed By:



Valerie Clarizio
Finance Director

Date: 3/21/19

Reviewed By:



Josh VanLieshout
City Administrator

Date: 3/21/19

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

We, the Finance/Purchasing & Building Committee, hereby recommend to purchase a Ford F-350 R/C 4x2 from Jim Olson Ford in an amount not to exceed \$38,991, including trade in of a 2001 Chevrolet 3500.

Respectfully submitted,

FINANCE/PURCHASING & BUILDING
David Ward, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: March 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: March 15, 2019

Title: Award of Bid for a 2019 One Ton Truck with Dump Box

Background: On March 14th, 2019 the Municipal Services Department opened bids for a new 2019 one ton truck with a dump box. In accordance with the City of Sturgeon Bay Purchasing & Property Accountability Policy, specifications were prepared and competitive sealed bidding was used to obtain pricing. Three bids were received:

Jim Olson Ford Sturgeon Bay, WI
(1) New Ford F-350 R/C 4X2
Purchase Price \$27,235
Dump Box \$15,756
Trade in Value \$4,000
Final Cost \$38,991

L&S Truck Center Appleton, WI
(1) New Ford F-350 XL 4X2
Purchase Price \$28,317
Dump Box \$15,756
Trade in Value \$4,000
Final Cost \$40,073

Ewald Auto Group Hartford, WI
(1) New Ford F-350 F3G 4X2
Purchase Price \$27,590
Dump Box \$15,856
Trade in Value \$3,000
Final Cost 40,446

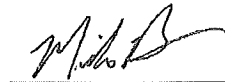
The 2019 capital budget, 10-400-000-59060, included \$50,000 with a trade amount of \$1,000 leaving \$49,000 available for the balance of the purchase of the truck.

I recommend purchasing the new Ford F-350 from Jim Olson Ford. Not only is Jim Olson Ford the lowest bidder, the City of Sturgeon Bay has made several purchases from this dealership and always receives great service when needed.

Fiscal Impacts: \$38,991 and trade in of our 2001 Chevrolet 3500 valued at \$4,000.

Recommendation: Staff recommends purchasing (1) New Ford F-350 R/C 4X2 from Jim Olson Ford not to exceed \$38,991, including the trade of our 2001 Chevrolet 3500.

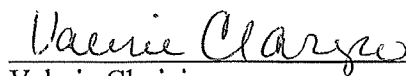
Prepared By:



Mike Barker
Municipal Services Director

Date: 15 MAR 2019


Reviewed By:



Valerie Clarizio
Finance Director

Date: 3/15/19

Reviewed By:



Josh VanLieshout
City Administrator

Date: 3/17/17

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Finance/Purchasing & Building Committee, hereby recommend to write off the following 2017 delinquent personal property tax account bills in the amount of \$1,475.05.

Write-off list

<u>Tax Account #</u>	<u>Name</u>	<u>Proposed</u>	<u>Write-off</u>
<u>Amount</u>			
281-0290	Jeffrey Slavik, DDS	\$	267.87
281-0293	H&R Block	\$	202.59
281-0955	Cherry Lanes Bowling Alley	\$	217.09
281-1180	Continental Investors, LLC	\$	731.54
281-1224	Center for Optimal Health	\$	55.96
	Total		\$ 1,475.05

Respectfully submitted,

FINANCE/PURCHASING & BUILDING
COMMITTEE

By: David Ward, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: March 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: Write-off and/or pursue small claims action of 2017 Delinquent Personal Property tax accounts

BACKGROUND: In November of 2004 the City adopted a Billing/Accounts Receivable Policy which includes provisions for write-offs. Per the policy, accounts considered for writing-off are those that cannot be collected under any of the following circumstances:

- 1) The party owing the City money cannot be located.
- 2) The party owing the City money has filed bankruptcy (all pertinent claims will be filed by the city in the cases of bankruptcy)
- 3) The expense of collecting the delinquent funds owed to the City exceeds the amount of the delinquency. Per the City Attorney a cut off of \$250 should be used.

Following is a list detailing the delinquent Personal Property Tax accounts for which I am proposing to write-off or forward to the City Attorney for small claims processing if you choose to do so. The delinquent personal property tax accounts received several collection notices in 2018.

Write-off list

Tax		Proposed
<u>Account #</u>	<u>Name</u>	<u>Write-off Amt</u>
281-0290	Jeffrey Slavik DDS	\$ 267.87
281-0293	H&R Block	\$ 202.59
281-0955	Cherry Lanes Bowling Alley	\$ 217.09
281-1180	Continental Investors LLC	\$ 731.54
281-1224	Center for Optimal Health	\$ 55.96
	Total	\$1,475.05

The proposed delinquent personal property tax write-off in the amount of \$1,475.05 is strictly the City's liability as per statute. Where Wisconsin statute allows, the City will chargeback uncollected personal property taxes to the pertinent taxing jurisdictions (county, school, technical college).

FISCAL IMPACT: The fiscal impact to the City for writing off the above listed delinquent personal property tax accounts is \$1,475.05. If you choose to pursue any of these in small claims court the costs will be minimal, providing payment from the delinquent account is actually received.

OPTIONS: 1) Write-off and/or pursue small claims court collection for the delinquent personal property accounts as detailed above.

- 2) Leave the above listed delinquent personal property tax accounts open and on the City's books.

RECOMMENDATION:

Recommend to the Common Council to write-off \$1,475.05 in 2017 delinquent personal property taxes as per the above listing.

PREPARED BY:

Valerie J. Clarizio
Valerie J. Clarizio
Finance Director/City Treasurer

3/14/19
Date

REVIEWED BY:

Josh VanLieshout
Josh VanLieshout
City Administrator

3/14/19
Date

03/13/19

03/19/19

Personal Property Chargebacks for 2017 Taxes Uncollectible in 2018													
	Name	Chargeback State of Wisconsin	Chargebacks County of Door	Chargebacks City of Sturgeon Bay	Chargebacks Sturgeon Bay School District	Chargebacks Sevastopol School District	Chargebacks Southern Door School District	Chargebacks NWTC	Total Chargebacks per Owner	Ceased Operations (CO) Bankruptcy (B) Removed from next Assmt Roll (R)	Action	Payment Date	Reimbursed to Taxing Jurisdictions
281-0290	Jeffrey Slavik DDC	0.00	40.81	114.82	103.94			8.30	267.87		Write-Off Small-Claims		
281-0293	H&R Block	0.00	30.87	86.83	78.61			6.28	202.59		Write-off Chargeback &		
281-0955	Cherry Lanes Bowling Alley	0.00	77.16	217.09	196.52			15.69	506.46	CO	Write-off		
281-1180	Continental Investors LLC	0.00	111.46	313.55	283.87			22.66	731.54		Write-Off Small-Claims		
281-1224	Center for Optimal Health	0.00	19.89	55.96	50.66			4.04	130.55	CO	Chargeback & Write-off		
	Total Delinquent amounts	0.00	280.19	788.25	713.60	0.00	0.00	56.97	1,839.01				
	Accounts that don't qualify for CB	0.00	183.14	515.20	466.42	0.00	0.00	37.24	1,202.00				
	Total Chargebacks	0.00	97.05	273.05	247.18	0.00	0.00	19.73	637.01	1,839.01			
	Less Payments / W. offs to date												
	Chargeback Balance	0.00	97.05	273.05	247.18	0.00	0.00	19.73	637.01				

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

We, the Finance/Purchasing & Building Committee, hereby recommend to purchase a 2019 Western Star 4700SF with plow, stainless dump box option and hood access package from Quality Truck Center of Oshkosh, WI in an amount not to exceed \$167, 807, including the trade in of a 2001 Sterling L8500 with plow.

Respectfully submitted,

FINANCE/PURCHASING & BUILDING
David Ward, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: April 9, 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: April 1, 2019

Title: Award of Bid for a 2019/20 Tandem Axle Patrol Truck with Plow

Background: On March 22nd, 2019 the Municipal Services Department opened bids for a new 2019/20 tandem axle patrol truck with plow. In accordance with the City of Sturgeon Bay Purchasing & Property Accountability Policy, specifications were prepared and competitive sealed bidding was used to obtain pricing. Three bids were received:

Quality Truck Care Center, Oshkosh, WI	Truck County, Kaukauna, WI
(1) New 2019 Western Star 4700SF	(1) New 2019 Freightliner 114SD
Purchase Price \$177,188	Purchase Price \$178,988
Stainless Option \$5,224	Stainless Option \$5,224
Trade in Value \$15,000	Trade in Value \$12,000
Final Cost \$167,412	Final Cost \$172,222

Packer City International Green Bay, WI
(1) New 2020 International HV507
Purchase Price \$175,440
Stainless Option \$5,224
Trade in Value \$7,000
Final Cost \$173,664


The 2019 capital budget, 10-400-000-59060, included \$200,000 with a trade amount of \$8,000 leaving \$192,000 available for the balance of the purchase of the truck.

I recommend purchasing the new 2019 Western Stall 4700SF from Quality Truck Care Center of Oshkosh, WI. I also recommend adding the Hood Access Package to the truck in the amount of \$395.00. This hood access allows for checking fluids without having to remove the plow and was not listed in the original specification. If approved this would have the final price of the truck at 167,807 which is still lower than the next higher bidder.

Fiscal Impacts: \$167,807 and trade in of our 2001 Sterling L8500 with plow valued at \$15,000.

Recommendation: Staff recommends purchasing (1) New 2019 Western Star 4700SF with plow, stainless dump box option and hood access package from Quality Truck Care Center of Oshkosh, WI at a price not to exceed \$167,807, including the trade of our 2001 Sterling L8500 with plow.

Prepared By:


Mike Barker
Municipal Services Director

Date: 01 APR 2019

Reviewed By:

Valerie Clarizio
Valerie Clarizio
Finance Director

Date: 4/1/19

Reviewed By:

Josh VanLieshout
Josh VanLieshout
City Administrator

Date: _____

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Community Protection and Services Committee, hereby recommend the Common Council that staff adapt a form to be signed by all newly elected officials, and those appointed to City committees and commissions, with the understanding they have read the conflict of interest disclosure regarding Chapter 35, Code of Conduct and Chapter 36, Code of Ethics prior to serving.

Respectfully submitted,
COMMUNITY PROTECTION AND SERVICES COMMITTEE
By: Barbara Allmann, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: April 8, 2019

* * * * *

Introduced by _____.

Moved by Alderperson _____, seconded by

Alderperson _____ that said recommendation be adopted.

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

CITY OF STURGEON BAY
Alderson Committee Appointments - April 2019

	CURRENT	PROPOSED
Finance/Purchasing & Building	David Ward, Chr.	Helen Bacon, Chr.
	Barbara Allmann, Vice-Chr.	Seth Wiederanders, Vice-Chr.
	Seth Wiederanders	Dan Williams
Personnel	David Ward, Chr.	Dan Williams, Chr.
	Barbara Allmann, Vice-Chr.	Helen Bacon, Vice-Chr.
	Laurel Hauser	Seth Wiederanders
Parking & Traffic	Kelly Catarozoli, Chr.	Kelly Avenson, Chr.
	Kelly Avenson, Vice - Chr.	Kirsten Reeths, Vice-Chr.
	David Hayes	Gary Nault
C, P & S	Barbara Allmann, Chr.	Dan Williams
	Kelly Catarozoli, Vice-Chr.	Kirsten Reeths
	Seth Wiederanders	Kelly Avenson
Board of Parks & Recreation	Laurel Hauser, Chr.	David Hayes, Chr.
	David Hayes, Vice-Chr.	Gary Nault, Vice-Chr.
	Kelly Avenson	Hellen Bacon
Plan Comm	Mayor's Term	David Ward
	Laurel Hauser (Park & Rec Board Chr.)	David Hayes
Local Arts Board	Kelly Avenson	Kelly Avenson
Board of Public Works	Thad Birmingham	David Ward
Chairman to be elected	Kelly Catarozoli	Helen Bacon
	David Hayes	David Hayes
	David Ward	Dan Williams
	Kelly Avenson	Kelly Avenson
	Barbara Allmann	Gary Nault
	Laurel Hauser	Kirsten Reeths
	Seth Wiederanders	Seth Wiederanders

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the City Plan Commission, hereby recommend to approve the combined preliminary/final Planned Unit Development (PUD) to allow for 6 multiple-family dwelling units to be established on property located at 709 Jefferson Street, parcel # 281-62-25002202 subject to the following conditions:

1. The underlying zoning district shall remain mixed residential and commercial (C-5)
2. The additional off-street parking spaces shall be met via either written agreement from the adjoining property for collective (shared) parking area, providing evidence the minimum off-street parking requirement are met, or a payment in lieu of providing the final space shall be made. No additional off street spaces shall be created without the approval of the Plan Commission.
3. If the dwelling units are used as tourist rooming houses, each such tourist rooming house shall be restricted to a minimum seven day rental period and the total number of days within a consecutive 365 day period that each tourist rooming house may be rented shall not exceed 180 days. The 180 days shall run consecutively within each 365-day period. However, the minimum rental period and maximum rental days shall not apply to up to three tourist rooming houses.

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

RESOLVED, that the foregoing recommendation be adopted.

Date: April 3, 2019

Introduced by _____;

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

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

Staff Report
Hilpipre PUD - 709 Jefferson Street

Background: The subject property is located at the northeast corner of Jefferson St and 7th Ave. It was rezoned to C-5 (mixed commercial and residential) as part of the Jefferson Street rezoning that occurred in 2016. The property contains two primary structures. The front building has two residential units with commercial space on the ground floor and the rear building contains 2 residential units. The applicant purchased this property at the beginning of 2018 and started to convert the commercial space into two residential units. This would convert the front building back into its original use as a four-plex. However, the total of 6 residential units exceeds the density allowed on that parcel and Mr. Hilpipre was informed that he needed a Planned Unit Development (PUD) rezoning in order to proceed.

The C-5 district allows multiple-family dwellings as a conditional use. However, density (12.4 units/acre or 3500 sqft/unit) would not allow more than three units. Thus, the only options would be to apply for a variance from the density requirement or apply for the PUD rezoning. The property owner opted to go through the PUD process due to the flexibility it affords. His desired use would be 6 dwelling units total with both long-term and short-term rental with the ability to use a portion or all of the first floor of the front building for commercial use (i.e. either residential or commercial use on the first floor).

All of the surrounding parcels are zoned C-5. The Jefferson Street corridor is known for its mix of commercial and residential uses. Historically, property owners would change between commercial and residential uses, which cannot occur without meeting certain commercial/residential requirements. Thus, the City rezoned that corridor to C-5 to allow more flexibility for the existing uses.

Comprehensive Plan: The Future Land-Use Map of the Sturgeon Bay Comprehensive Plan designates this property for Transitional Commercial. This type of area is intended to provide lower density commercial uses proximate to residential areas. It also can provide transitions between commercial and residential uses or provide areas where a mixing of commercial and residential uses is deemed appropriate. Thus, this proposal matches the direction of the City of Sturgeon Bay Comprehensive Plan.

Site Plan and Building Design: The following is a summary of the major site and design subjects:

Driveway Access: The existing access is off of 7th Ave. The driveway is shared with the abutting property. There are no proposed changes to the existing access.

Density: There will be no more than six units on this property. Density rules require that each unit needs 3500 square feet of lot area. The rule is not met because this lot can only hold 3 units. The City can allow the development to exceed the density rule as part of the PUD ordinance.

Mix of Units: These are all one bedroom units located on one floor.

Parking: Nine off-street parking spaces are normally required for the proposed 6 units. Currently there are a total of eight off-street parking spots. These spots run perpendicular to the driveway and require the use of the shared driveway in order to properly gain access. If the shared access is eliminated, there would only be room for 3-4 vehicles using angled or parallel parking. There are several options for handling the number of parking spaces. The PUD, if approved, could specify that the number of required spaces is only eight spaces. Another option is for the owner to make a payment in lieu of providing the final space. This is allowed in the C-5 district. The amount of the one-time payment is usually determined by the parking and traffic committee. The third option is to formalize the collective parking arrangement with the adjoining owner. The C-5 district allows spaces within collective off-street parking facilities (i.e. shared parking) to count as 1.5 spaces. Thus, the existing parking is sufficient if the two owners agree the parking area is shared. The final option is to require an additional space to be added.

Traffic: The conversion between ground floor retail and two one-bedroom dwelling units will not have an impact on traffic. No traffic impact analysis is needed.

Building Design: The front building was originally designed as a four-family dwelling (two up, two down). The proposed conversion would revert back to that design. The rear building was a dwelling that was converted into two units (up/down). The owner is not proposing to make any significant changes to the exterior of the buildings. Approval from the Aesthetic Design and Site Plan Review Board will be required if changes are ever proposed.

Short-Term vs. Long-Term Rental of Units: At the conceptual PUD meeting, there was considerable discussion regarding whether the units would be for residents or for transients and whether a restriction regarding the number of tourist rooming houses should be considered. The applicant indicated he plans to have a mix of short-term and long-term units and wants flexibility.

Staff discussed the issue with the City Attorney. Because Wisconsin law states that municipalities cannot by ordinance completely restrict the short-term rental of dwellings and because a PUD is a rezoning ordinance, it would be inappropriate to include a total prohibition against short-term rentals (tourist rooming house). Under the state law the City could, however, restrict such short-term rentals to 7-day minimum periods and total rental days to 180 days in a year. So under the PUD ordinance the City could, if desired, restrict the rental period to 7 days or longer and/or restrict the total number of rental days to 180 days for some or all of the tourist rooming houses.

Plan Commission Review: The Plan Commission has reviewed the property owner's plans thoroughly and recommends approval of the PUD ordinance with the following conditions:

1. The underlying zoning district shall remain Mixed Residential and Commercial (C-5).
2. The additional off-street parking spaces shall be met via either written agreement from the adjoining property for collective (shared) parking area, providing evidence the minimum off-street parking requirement are met, or a payment in lieu of providing the final space shall be made. No additional off street spaces shall be created without the approval of the Plan Commission.
3. If the dwelling units are used as tourist rooming houses, each such tourist rooming house shall be restricted to a minimum seven day rental period and the total number of days within a consecutive 365 day period that each tourist rooming house may be rented shall not exceed 180 days. The 180 days shall run consecutively within each 365-day period. However, the minimum rental period and maximum rental days shall not apply to up to three tourist rooming houses.

Common Council Action: The Council has the ability to approve, modify and approve, or reject the preliminary/final PUD within 60 days of the Plan Commission recommendation. If approved, it takes two readings of the PUD ordinance to adopt.

Recommendation: Staff recommends approval of Plan Commission's recommendation.

Prepared by:


Christopher Sullivan-Robinson
Planner / Zoning Administrator

4.9.19
Date


Marty Olejniczak
Community Development

4-9-19
Date

Reviewed by:


Josh Van Lieshout
City Administrator

4/10/19
Date

CITY OF STURGEON BAY PLANNED UNIT DEVELOPMENT APPLICATION

Date Received: <u>1-3-19</u>
Fee Paid \$ <u>6477.00</u> (includes orig. dep.)
Received By: <u>CN</u>

Application For: Conceptual ☐ Preliminary ☐ Final ☐ Combined Preliminary/Final ☒
 Note: There are different requirements for each of the above processes. A separate application is required for each.

NAME OF PROPOSED PLANNED UNIT DEVELOPMENT: _____
--

	APPLICANT/AGENT	LEGAL PROPERTY OWNER
Name	<u>Aaron Hilpiper</u>	
Company		
Street Address	<u>1211 FOX RIVER DR</u>	
City/State/Zip	<u>DEPERE WI 54115</u>	
Daytime Telephone No.	<u>920 360 1065</u>	
Fax No.		

STREET ADDRESS(es) OF SUBJECT PROPERTY: <u>709 JEFFERSON ST / 226-228 N 7TH AVE</u> Location if not assigned a common address: _____

TAX PARCEL NUMBER(s): <u>281-62-25002202</u>
--

AREA OF SUBJECT PROPERTY AND NO. OF LOTS: <u>.25 acres (10,890 sqft)</u>
--

CURRENT ZONING CLASSIFICATION: <u>C-5</u>

CURRENT USE AND IMPROVEMENTS: <u>Apartment, COMMERCIAL</u>

COMPREHENSIVE PLAN DESIGNATION OF SUBJECT PROPERTY: <u>TRANSITIONAL COMMERCIAL</u>
--

WOULD APPROVAL OF THE PROPOSED PLANNED UNIT DEVELOPMENT CONFORM WITH THE COMPREHENSIVE PLAN? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Explain: <u>TRANSITIONAL ZONES CAN BE USED FOR COMMERCIAL, RESIDENTIAL, OR A MIXED USE.</u>

PLEASE IDENTIFY SPECIFIC PROPOSED LAND USES. USES MUST IDENTIFY AND CORRESPOND TO A PARTICULAR LOT, LOCATION, BUILDING, ETC. ALLOWANCE OF MAX 6 RESIDENTIAL UNITS TOTAL
WITHIN TWO EXISTING BUILDING ON THIS PROPERTY ALLOWANCE OF
SHORT AND LONG TERM RENTAL CAPABILITIES; UTILIZE EXISTING LOT LAYOUT
ALLOWANCE OF COMMERCIAL USE ON FIRST FLOOR OF LARGER BUILDING

CURRENT USE AND ZONING OF ADJACENT SURROUNDING PROPERTIES:

North: RESIDENTIAL
South: RESIDENTIAL
East: COMMERCIAL
West: COMMERCIAL

COMPREHENSIVE PLAN DESIGNATION OF ADJACENT SURROUNDING LAND USES:

North: TRANSITIONAL COMMERCIAL
South: SINGLE FAMILY RESIDENTIAL
East: TRANSITIONAL COMMERCIAL
West: TRANSITIONAL COMMERCIAL

IS ANY VARIANCE FROM COMPREHENSIVE PLAN, SUBDIVISION ORDINANCE, OR ZONING ORDINANCE BEING REQUESTED? If yes, describe:

MULTI-FAMILY DENSITY 20.27(2) / MULTIPLE PRINCIPLE USES COVERED
UNGA PUD REGULATIONS

HAVE THERE BEEN ANY VARIANCES, CONDITIONAL USE PERMITS, ETC. GRANTED PREVIOUSLY FOR THIS PROPERTY? NO IF YES, EXPLAIN: _____

Attach an 11" X 17" detailed site plan (if site plan is larger than 8-1/2" x 11", also include 20 copies folded to 8-1/2" X 11"), full legal description (preferably on disk), location map with site boundaries marked, proof of ownership, and Agreement for Reimbursement of expenses. Site or plot plan shall include dimensions of property, structures, building elevations, proposed site improvements, signature of person who drew plan, etc.

Aaron Hilgipre
Property Owner (Print Name)

[Signature]
Signature

12/10/18
Date

Applicant/Agent (Print Name)

Signature

Date

I, _____, have attended a review meeting with at least one member of staff and understand that I am responsible for sign placement and following all stages listed on the check list in regard to the applicant.

Date of review meeting

Applicant Signature

Staff Signature

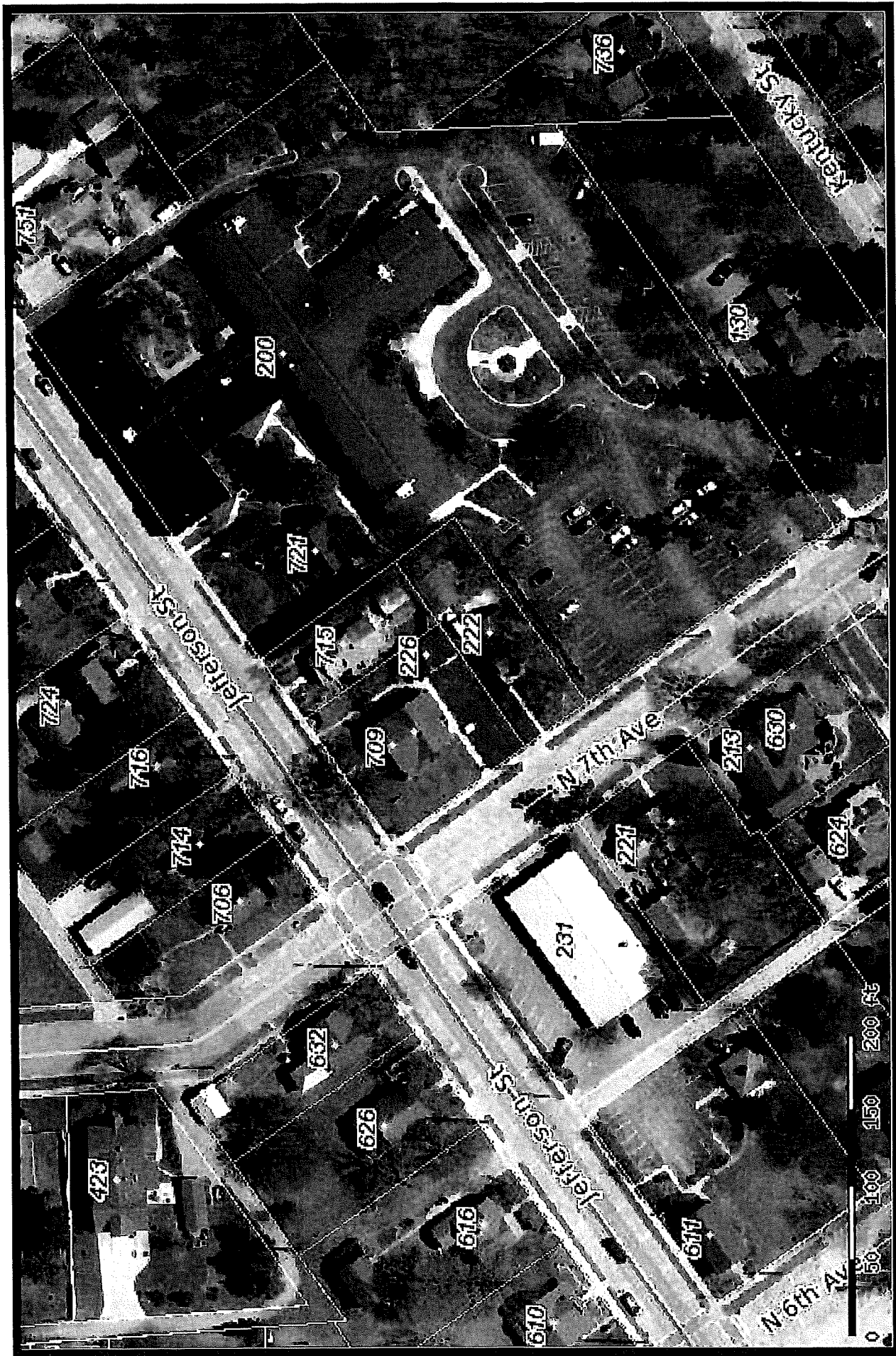
Map

Printed 12/03/2018 courtesy of Door County Land Information Office

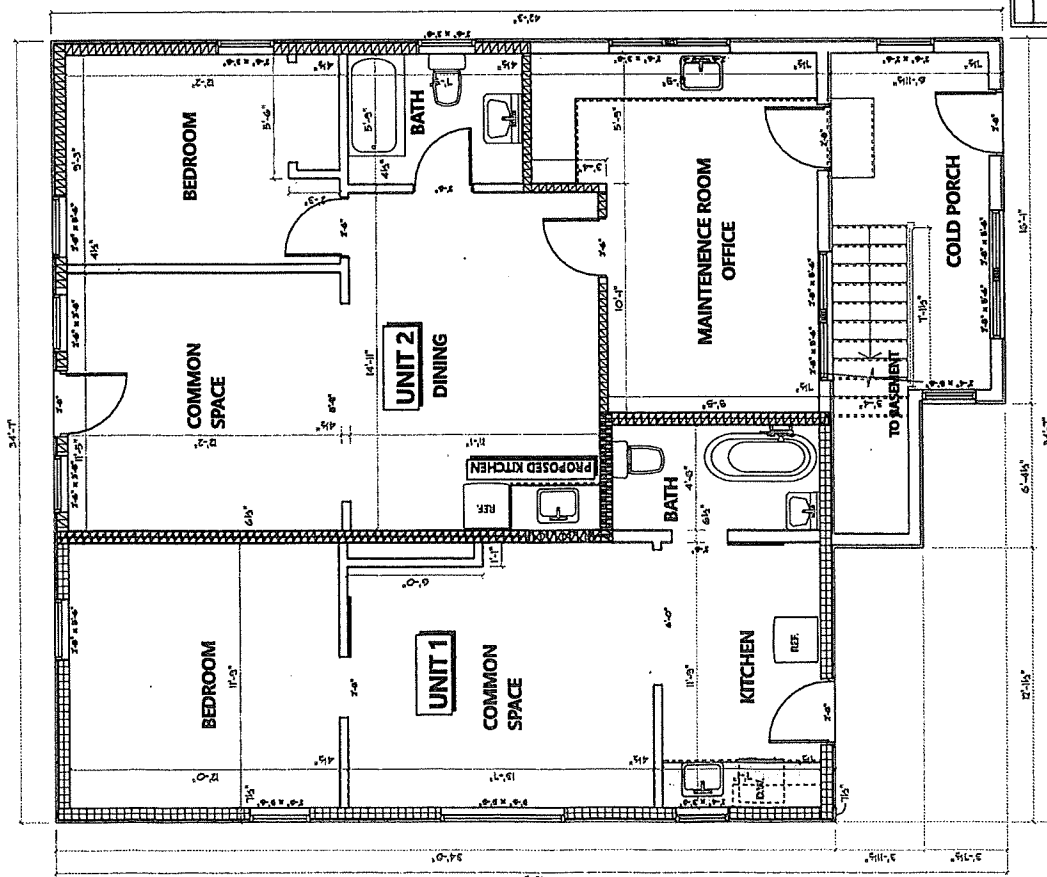


Door County, Wisconsin
... for all seasons!

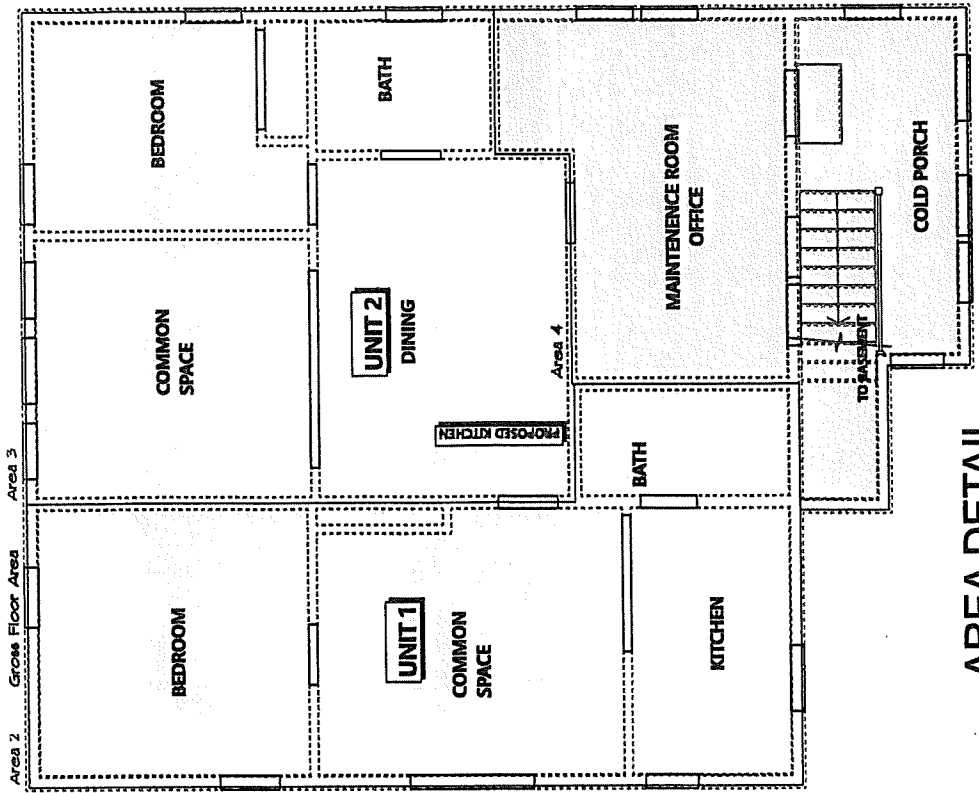
... from the Web Map of ...
(<http://www.co.door.wi.gov>)



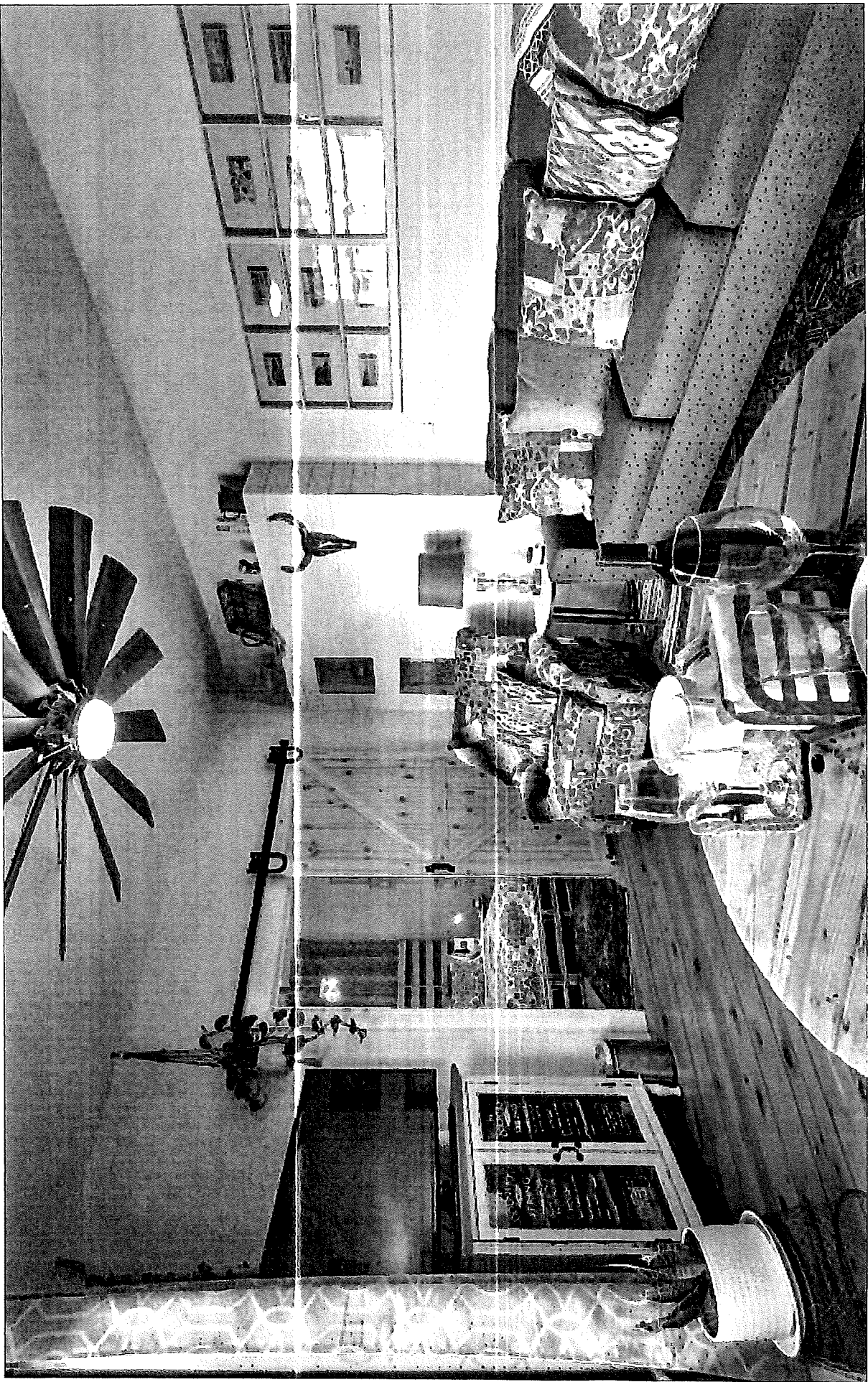
Door County can not and does not make any representation regarding the accuracy or completeness, nor the error-free nature, of information depicted on this map. This information is provided to users "as is". The user of this information assumes any and all risks associated with this information. Door County makes no warranty or representation, either express or implied, as to the accuracy, completeness, or fitness for a particular purpose of this information. The Web Map is only a compilation of information and is NOT to be considered a legally recorded map or a legal land survey to be relied upon.

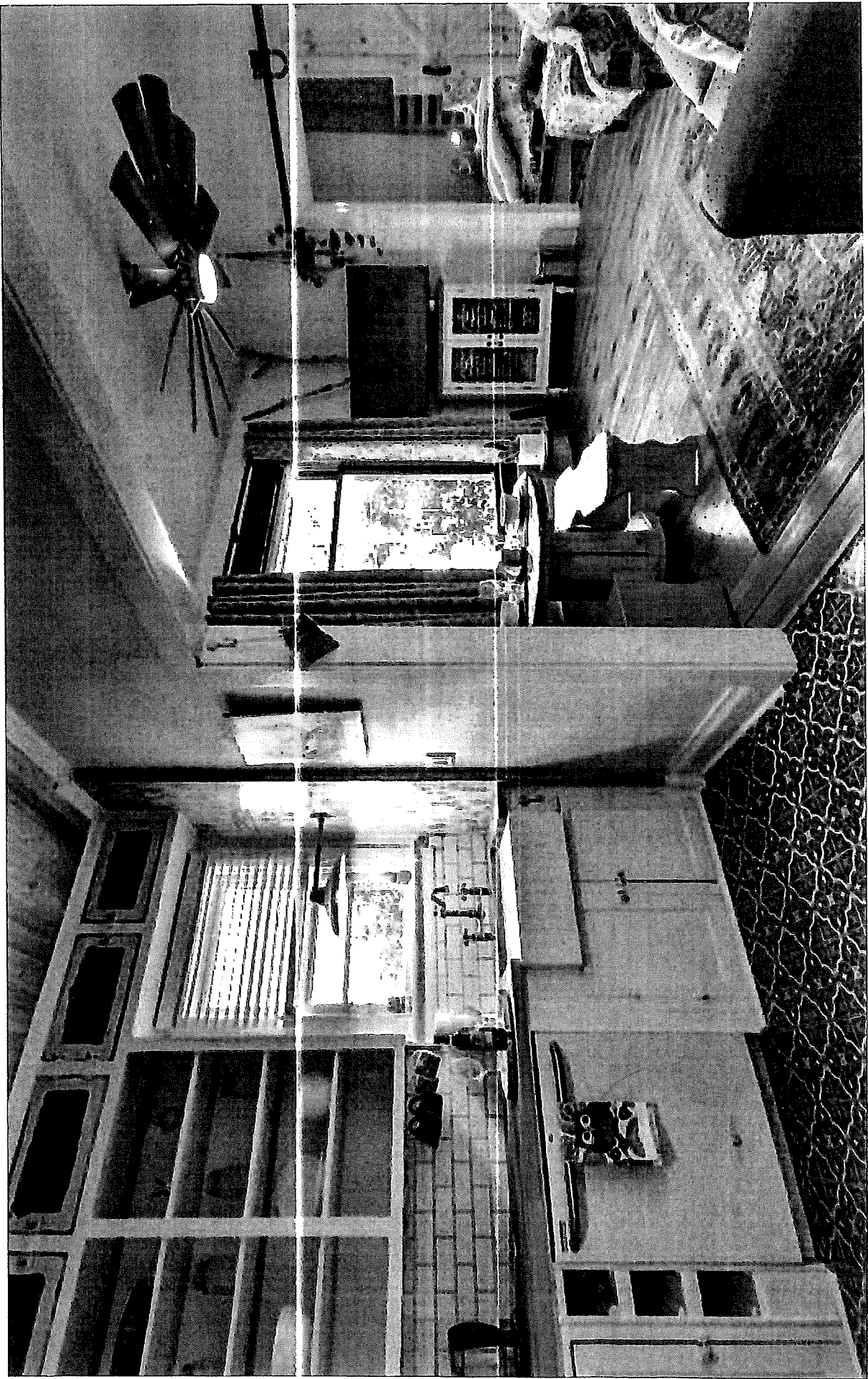


AREA SCHEDULE		
NAME	COLOR	AREA
Unit 1		125.2 sq. ft.
Unit 2		125.2 sq. ft.
Area 1		125.2 sq. ft.
Area 2		125.2 sq. ft.
Area 3		125.2 sq. ft.
Area 4		125.2 sq. ft.

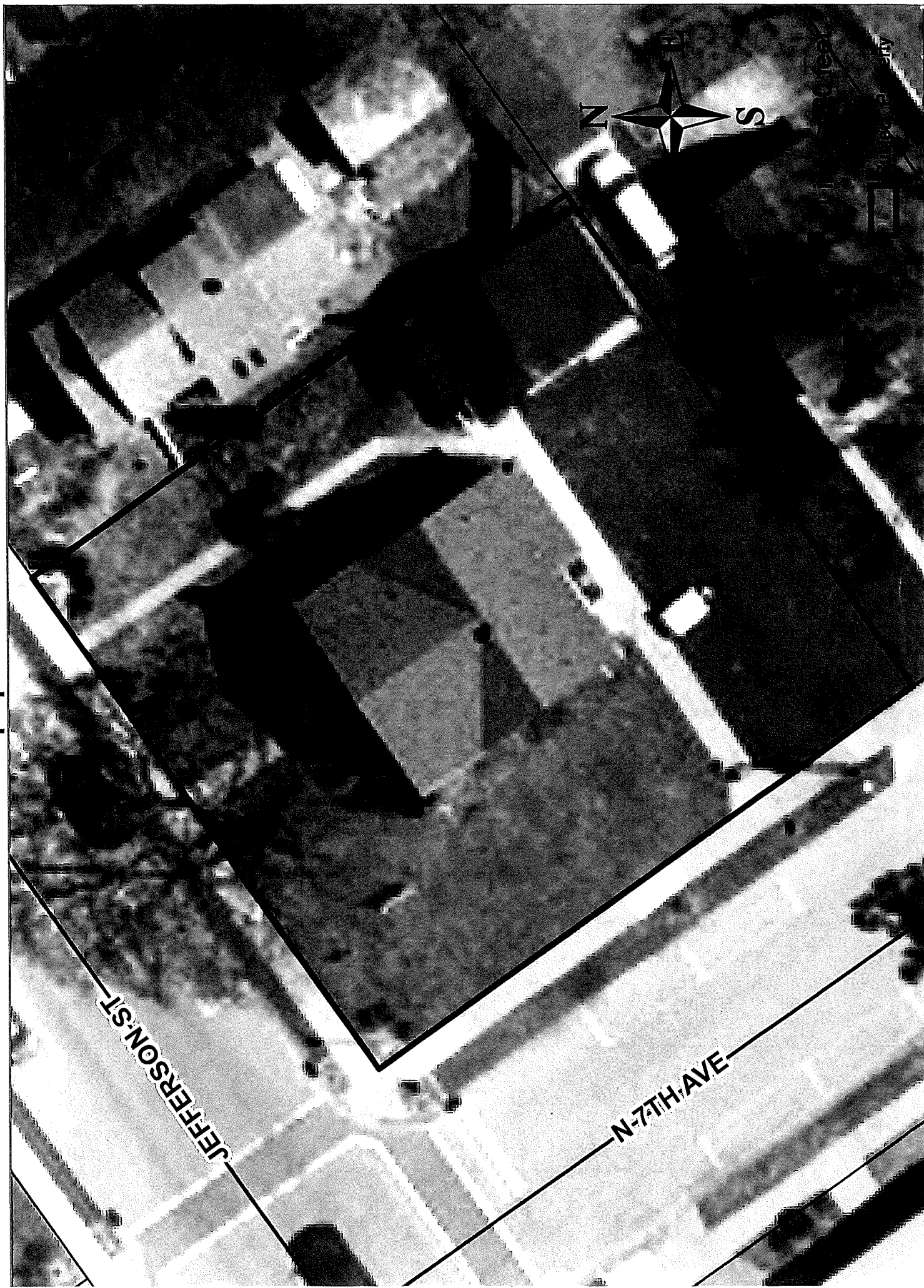


AREA SCHEDULE		
NAME	COLOR	AREA
Unit 1		125.2 sq. ft.
Unit 2		125.2 sq. ft.
Area 1		125.2 sq. ft.
Area 2		125.2 sq. ft.
Area 3		125.2 sq. ft.
Area 4		125.2 sq. ft.





Hilpipre's PUD







04/25/2015

Google Maps 222 N 7th Ave

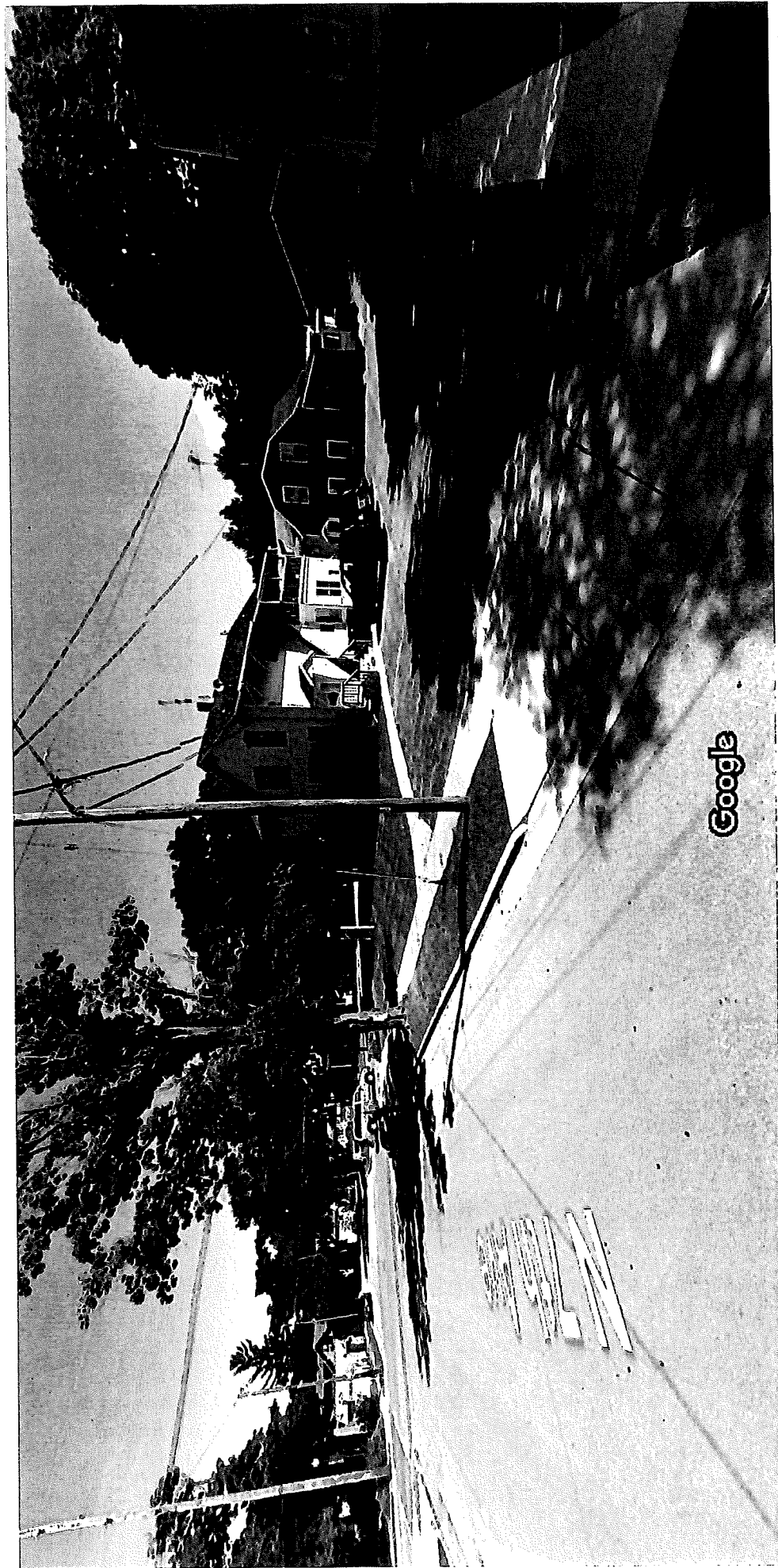
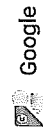


Image capture: Aug 2013 © 2019 Google

Sturgeon Bay, Wisconsin



Street View - Aug 2013



100 ft

NOTICE OF PUBLIC HEARING

The City of Sturgeon Bay Plan Commission will conduct a public hearing in the Council Chambers, City Hall, 421 Michigan Street, Sturgeon Bay, Wisconsin on Wednesday, April 3, 2019 at 6:00 p.m. or shortly thereafter, regarding a petition from Aaron Hilpiper for a Planned Unit Development (PUD) under section 20.24 of the Municipal Code (Zoning Code), to be located 709 Jefferson Street, parcel # 281-62-25002202. The proposed PUD is to repurpose the existing structures for 6-units of multiple-family residential dwellings. If approved this would allow various rental opportunities as well as the option to use the lower floor for commercial uses. The application and PUD plans are on file with the Community Development Department, located at 421 Michigan Street, and can be viewed weekdays between 8:00 a.m. and 4:30 p.m. The public is invited to give testimony in favor or against the proposed PUD, either in person at the hearing or in writing.

By order of:
City of Sturgeon Bay Plan Commission

LOCATION MAP
PUBLIC HEARING - HILPIPRE
PLANNED UNIT DEVELOPMENT REQUEST



Subject_Property



Note: Public hearing to be held on April 3, 2019

ORDINANCE NO. _____

THE COMMON COUNCIL OF THE CITY OF STURGEON BAY, WISCONSIN DO ORDAIN AS FOLLOWS:

SECTION 1: The following described property is hereby rezoned from Mixed Residential and Commercial (C-5) to Planned Unit Development (PUD) and shall be subject to the site plan and requirements incorporated herein:

A parcel of land within Subdivision 25, located in the NW ¼ of the SW ¼ of Section 5, Township 27 North, Range 26 East, City of Sturgeon Bay, Door County, Wisconsin more particularly described as follows:

Commencing at the intersection of Jefferson Street and 7th Avenue: Thence Northerly 100', thence Southeasterly 100', thence Northerly parallel to Jefferson Street 50', thence Southeasterly 10', thence Southwesterly parallel to Jefferson Street 150', thence Northwesterly along 7th Avenue 110' to the point of beginning, except tract recorded in Document #754068.

Said parcel contains 0.25 acres. The tax parcel identification number is 281-62-25002202.

SECTION 2: The following requirements and conditions are place upon the property described within the legal description.

A. Underlying Zoning: The underlying zoning district shall be Mixed Residential and Commercial (C-5). If the PUD expires, the zoning classification of the property shall revert to the C-5 district.

B. Permitted Uses: Permitted and conditional uses shall conform to the uses allowed in the C-5 district, except that multiple-family dwellings up to a total of six dwelling units are permitted.

C. Residential Density: The minimum lot area per dwelling unit for multiple-family dwellings shall be 1,800 square feet (Total of 6 units within subject property).

D. PUD Requirements: The following requirements shall apply:

1. The additional off-street parking spaces shall be met via either written agreement from the adjoining property for collective (shared) parking area, providing evidence the minimum off-street parking requirement are met, or a payment in lieu of providing the final space shall be made. No additional off street spaces shall be created without the approval of the Plan Commission.
2. If the dwelling units are used as tourist rooming houses, each such tourist rooming house shall be restricted to a minimum seven day rental period and the total number of days within a consecutive 365 day period that each tourist rooming house may be rented shall not exceed 180 days. The 180 days shall run consecutively within each 365-day period. However, the minimum rental period and maximum rental days shall not apply to up to three tourist rooming houses.

SECTION 3: This ordinance shall take effect on the day after its publication.

Approved:

Attest:

David Ward
Mayor

Stephanie Reinhardt
City Clerk

An ordinance to Create Chapter 35 and Chapter 36
Of the City of Sturgeon Bay
Code of Ordinances.

Upon the recommendation of the Community Protection and Services Committee the Common Council of the City of Sturgeon Bay, Door County, Wisconsin, do ordain as follows:

SECTION 1.: Chapter 35 of the Sturgeon Bay Code of Ordinances is hereby created to read as follows:

Chapter 35 – CODE OF CONDUCT

35.01 - Purpose.

- (1) It is the policy of the City of Sturgeon Bay to uphold, promote, and demand the highest standards of ethics from its elected officials. Members of the Common Council and Mayor shall maintain the utmost standards of personal integrity, trustfulness, honesty, and fairness in carrying out their public duties, avoiding any improprieties in their roles as public servants, complying with all applicable laws, and never using their City position or authority improperly or for personal gain. Chapter 36 of this Code address ethical duties where personal gain, conflict and fiduciary interests are concerned, this Chapter addresses matters of good conduct and ethical and responsible behavior as well as duties and actions with other elected officials, employees of the City and members of the public.
- (2) The City of Sturgeon Bay and its elected officials share a commitment to ethical conduct and service to the City of Sturgeon Bay, both as a municipal corporation and community. This Code has been created to provide all City officials with clear guidelines for carrying out their responsibilities in their relationships with each other, City staff, the citizens of Sturgeon Bay, and with all other private and governmental entities.

35.02 - Elected official conduct interactions with others.

- (1) The Common Council and Mayor (the Mayor and Council shall, for purposes of this chapter be referred to as “Council”) have decided to set the policies for the City governing the decorum and conduct during public meetings. The Council recognizes, certain types of conduct are conducive to the effective and efficient operation of government and the effective debate and others are disruptive and impede the process of government.
- (2) The Council is composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all choose to serve in public office and, therefore, have the obligation to preserve and protect the well-being of the community and its citizens. In all cases, this common goal must be acknowledged, and the Council must recognize that certain behavior is counterproductive, while other behavior will lead to effective communication and governance. The Council also recognizes that insofar as this chapter regulates disruptive conduct in public meetings, it is not intended to place any

limitation or regulation on the content of the speech directed toward debate and the conduct of the business of government.

- (a) *Use Formal Titles.* While in session, the Council shall refer to one another formally as Mayor, Council President, or Alderperson followed by the individual's last name. A small act of formality such as using titles (Mr., Ms. Alder, Councilman, etc.) will help both members of the council and public maintain a professional and businesslike manner during public meetings.
- (b) *Use Civility and Decorum in Discussions and Debate.*
 - (i) Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of free democracy in action. Every Council member has the right to an individual opinion, which should be respected by the other Council members. Recognizing that Council members have the right to present their arguments in their entirety, Council members shall not be hostile, degrading, or defamatory when debating a contentious issue as such conduct disrupts the debate and the ability of the Council to perform its obligation to the public. Council members should assume the other members of the Council have the appropriate motives and interest of the public in mind and should not criticize differing opinions because they believe them to be lacking in judgment or motivated by mistaken beliefs or information.
 - (ii) Council members are not to make belligerent, impertinent, slanderous, threatening, abusive, or personally disparaging comments in public meetings or during individual encounters. Assaultive behavior such as shouting or physical actions that could be reasonably construed by the target as threatening or demeaning will not be accepted. If a Council member is personally offended by the remarks of another Council member, the offended member should make a note of the actual words used and call for a "point of personal privilege" that challenges the other Council member to justify or apologize for the language used.
- (c) *Honor the Role of the Chair in Maintaining Order.* It is the responsibility of the Mayor, as Chair of the Council, or the Chair of any standing committee, to keep the comments of Council members on track during Council meetings. Council members should honor efforts by the Mayor or Chair to focus discussion on current agenda items. If there is disagreement about the agenda or the Mayor's or Chair's actions, those objections should be voiced politely and with reason, following parliamentary procedure.

35.03 - Elected official conduct with city staff.

- (1) Governance of the City relies on the cooperative efforts of elected officials who set policy and the City staff who implement and administer the Council's policies. Every effort should be made to be cooperative and show mutual respect for the contributions made by each other for the good of the community.
- (a) *Treat all Staff as Professionals.* Council members shall treat all staff as professionals. Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Council members should refer to staff by their title followed by the individual's last name in public meetings when first introduced.
 - (b) *Never Publicly Demean or Personally Attack an Individual Employee.* Council members shall not demean, slander or personally attack an employee regarding the employee's job performance in public. Any and all employee performance issues shall be forwarded to the employee's supervisor, Human Resources Director or the City Attorney through private correspondence or conversation. Council members do not have the authority to individually determine whether an employee's conduct is in violation of City rules or policies. Employee disciplinary matters are subject to the City Employment Manual and the confidentiality protections of § 19.85 Wis. Stats.
 - (c) *Do not Supersede Administrative Authority.* [For purposes of this document, the term "administrative authority" includes the duties of the Mayor and City Administrator as described in the Wisconsin Statutes and City of Sturgeon Bay Code of Ordinances]. Unless otherwise provided by law or in this Code, no members of the Common Council, shall attempt to supersede the administration's powers and duties. No member thereof shall give orders to any subordinate of the Department Heads, either publicly or privately, unless those directives have been directly authorized and sanctioned by the Council or a committee authorized to give such directive. Council members shall not attempt to influence or coerce City staff concerning either their actions or recommendations to Council about personnel, purchasing, awarding contracts, selection of consultants, processing of development applications, the granting of City licenses and permits, or policies that the Common Council may pursue. Nothing in this section shall be construed, however, as prohibiting the Council while from fully and freely discussing with or suggesting to the Department Heads anything pertaining to City affairs or the interests of the City.
 - (d) *Do not Solicit Political Support from Staff.* Council members shall not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, collection of petition signatures, etc.) from City staff while at work or imply assistance is necessary as a term or condition of continued employment or favor by the Council member. City staff may, as private citizens within their constitutional rights, support political candidates, but all such activities must be done away from the workplace. Photographs of uniformed City employees shall not be used in political ads.

- (e) *Favors.* Council members shall not use their office to attempt to induce special favors for themselves or constituents, such as asking for a ticket or ordinance violation to be “fixed”. Or giving priority to particular requests in exchange for favorable consideration in the future.
- (f) *Undermining Official Actions.* Notwithstanding the Mayor’s authority to veto, once the Council has made a determination on a matter and has published that decision to the extent required by law, the Council members may not use their position to intimidate or delay or hinder staff in their responsibility to carry out the direction of the Council.
- (g) *Harassing and Intimidating Actions Prohibited.* Council members shall not engage in a course of conduct or repeatedly commit acts which harass or intimidate a staff member or other Council member and which serve no legitimate purpose or serve a purpose contrary to the directives of this chapter. Nor shall any Council member engage in verbal or physical conduct that demeans or shows hostility or aversion toward another person because of his/her race, color, religion, gender, national origin, age, disability, sexual orientation, marital status, or other legally protected status, or that of his/her relatives, friends or associates. Illegal harassment will be determined through the standard of whether a reasonable person from the victim’s point of view would consider the conduct to be harassing or intimidating. Gaining an unfair advantage as a benefit of office or to intimidate staff members or other Council members to follow a course of conduct they are not required under the direction of the Council are expressly not a legitimate purpose under this provision.
- (i) *Examples of prohibited harassing and intimidating actions include:*
Verbal and/or physical abuse, unwelcome physical contact, epithets (name-calling), slurs, threatening, intimidating, or hostile acts, vulgar or derogatory language, display of offensive or graphic cartoons, written or printed materials, use of electronic communications such as e-mail or Internet for sending or downloading unwelcome or offensive material, mimicry, lewd or offensive gestures or pranks, telling of jokes offensive to the above protected class members. Where such conduct has the purpose or effect of (1) creating an intimidating, hostile or offensive work environment; (2) unreasonably interfering with an individual’s work performance; or otherwise adversely affects an individual’s employment opportunities. Such conduct is strictly prohibited.

35.04 - Elected official conduct towards the public.

- (1) *In Public Meetings.* Any conduct that interferes with or obstructs the ability of the public to participate in the public forum is disruptive to the operation of government. All members of the public shall, subject to the rules of the Council governing the manner of public participation and any open meetings restrictions, be given a fair and equal right to present their views. No Council member shall interfere with or obstruct such participation.

- (a) *Be welcoming to Speakers and Treat them with Care and Respect.* For many citizens, speaking in front of Council is a new and difficult experience. Under such circumstances, many are nervous. Council members are expected to treat citizens with care and respect during public hearings. Council members should commit full attention to the speakers or any materials relevant to the topic at hand. Comments and non-verbal expressions should be appropriate, respectful, and professional.
- (b) *Be Fair and Equitable in Allocating Public Hearing Time to Individual Speakers.* The Mayor will determine and announce time limits on speakers at the start of the public hearing process. Generally, each speaker will be allocated three minutes, with applicants and appellants or their designated representative allowed more time. If many speakers are anticipated, the Mayor may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers. Each speaker may only speak once during the public hearing unless the Council requests additional clarification later in the process. After the close of the public hearing, no additional public testimony will be accepted unless the Council reopens the public hearing for a limited and specific purpose.
- (c) *Ask for Clarification, but Avoid Debate and Argument with the Public.* Only the Mayor, not other Council members, may interrupt a speaker during a presentation (questions are to be reserved to the conclusion of the presentation). However, other Council members may ask the Mayor for a point of order if the speaker is off the topic or exhibiting behavior or language the Council member finds disturbing. Questions directed by Council members to members of the public testifying should seek to clarify or expand information, not to criticize or debate.
- (d) *Follow Parliamentary Procedure in Conducting Public Meetings.* The City Attorney serves as advisory parliamentarian for the City and is available to answer questions or interpret situations according to parliamentary procedures. Final rulings on parliamentary procedure are made by the Mayor or Committee Chair, subject to the appeal of the full Council or Committee per Roberts Rules of Order.

(2) *Outside Public Meetings.*

- (a) *Make no Promise on Behalf of the City or Council in Unofficial Settings.*
 - (i) Council members will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of City policy and to refer to City staff for further information. While a Council Member can share their position on an issue, the member should not speculate on the outcome of an issue in a manner that may mislead or confuse a constituent.
 - (ii) Council members must ensure that while expressing their own opinions they do not mislead any listener into believing that their individual

opinion is that of the entire Council, unless the Council has taken a vote on that issue and the Council member's opinion is the same as the decision made by the Council. Likewise, no Council member should state in writing that Council member's position in a way that implies it is the position of the entire City Council. A Council member has the right to state a personal opinion, and has the right to indicate that he/she is stating such as a member of the Council, but must always clarify that he/she is not speaking on behalf of the City or the Council unless authorized by the Council to do so.

35.05 - Elected official conduct with other organizations.

- (1) *Be Clear about Representing the City or Personal Interests.* If a Council member appears before another governmental agency or other organization to give a statement on an issue, the Council member must clearly state whether his or her statement reflects personal opinion or is the official adopted stance of the City.

- (a) Council members must inform the Council of their involvement in an outside organization if that organization is or may become involved in any issue within the City's jurisdiction that is before the City for consideration. If an individual Council member publicly represents or speaks on behalf of another organization whose position differs from the City's official position on any issue, the Council member must clearly communicate the organization upon whose behalf they are speaking. If the interest of an organization that they hold an office in is not consistent with the City's position the Council member must withdraw from voting or participating in debate, discussion or negotiation upon any action that has bearing upon the conflicting issue.

- (2) *Representation of the City on Intergovernmental Commissions and Other Outside Entities.* Council members serving on committees or boards as a City representative for outside entities or agencies shall properly communicate with other Council members on issues pertinent to the City.

35.06 - Elected official conduct with boards and commissions.

- (1) *Limit Contact with Board and Commission Members to Questions of Clarification.* Council members shall not contact a Board or Commission member to lobby on behalf of or in opposition to an individual, business, or developer for personal gain or for the benefit of a group, organization, entity of which they are a member except in open session when the public is allowed to speak, clarifying that their statement is not that of the Council, but a personal view or opinion. Council members may contact Board or Commission members in order to clarify a position taken by the Board or Commission or a member thereof. Council members may respond to inquiries from Board and Commission members. Communications.

- (2) *Attendance at Board or Commission Meetings.* Council members may attend any Board, Committee or Commission meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation is viewed, especially if it is on behalf of an individual, business, or developer, which could be perceived as unfairly affecting the process and must avoid any participation in the matter if § 946.13 Wis. Stats or other conflict provision is applicable. Periodically a matter of interest to a council member will come before a commission, committee, or board for approval before it is considered by the Common Council in a quazi judicial capacity or other manner where the Council will be called upon to make an impartial decision. Testifying at a hearing or commenting on, either in support of or opposed to a particular matter before it is reviewed and acted on by the council can lead to arguments of bias and compromise the hearing process and eventual outcome. Avoid putting yourself in the position of stating your opinion on the worth of a project, policy or action until the testimony is concluded and the matter properly before the Common Council.
- (3) *Be respectful of Diverse Opinions.* A primary role of boards, committees, and commissions is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Council members must be fair and respectful to all citizens serving on boards, committees and commissions.

35.07 - Elected official conduct with the media.

- (1) *Expression of Positions on Issue.* When communicating with the media, Council members should clearly differentiate between personal opinions and the official position of the City. Each Council member represents one vote of seven and until a vote on any issue is taken, Council members' positions are merely their own. Presenting personal opinions as those of the council inaccurately is misleading to the public.
- (2) *Discussions Regarding City Staff.* Council members should not discuss personnel issues or other confidential matters regarding individual City staff in the media or in open session. Any issues pertaining to City staff should only be addressed directly to the Department Head, City Attorney or Human Resources.

35.08 – Code of conduct complaint process.

- (1) *Procedure for Filing Complaints.*
 - (a) Allegations of violations of this Code of Conduct shall be heard by the Ethics Board under the procedures provided in Chapter 36 of this Code.

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Community Protection and Services Committee, hereby recommend the Common Council to make the following amendments to Chapter 36 of the Municipal Code, Code of Ethics:

- Adopt the membership of the Ethics Board to exclude previous elected officials. The makeup of the Ethics Board shall include three members, whereby strong preference shall be given to individuals with a background in ethics training, judiciary background and human resources background; two members to be citizens at large.
- Adopt that recommendations from the Ethics Board must be carried by a two-thirds vote to move to a Council agenda.

Respectfully submitted,
 COMMUNITY PROTECTION AND SERVICES COMMITTEE
 By: Barbara Allmann, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: April 8, 2019

* * * * *

Introduced by _____.

Moved by Alderperson _____, seconded by

Alderperson _____ that said recommendation be adopted.

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

SECTION 2. Chapter 36 of the Sturgeon Bay Code of Ordinances is hereby created to read as follows:

Chapter 36 – CODE OF ETHICS.

The City adopts and incorporates Wis. Stat. §19.59. The City exercises its right to adopt the following additional policies in accordance with Wis. Stat. §19.59 and, creating the City ethics Code as follows:

36.01 – Purpose.

(1) *Declaration of Policy.*

- (a) High moral and ethical standards are essential to the operation of free government. A code of ethics is established for all City officials, whether elected or appointed, paid or unpaid, all City employees and agents of the City, all members of City boards and committees and persons furnishing contracted services to the City and its boards and committees. This code establishes guidelines for ethical standards of conduct for all such officials, employees, agents, committee and board members and persons furnishing contracted services. It directs disclosure by officials, board and committee members, employees, agents and candidates for City office of private financial or other interests in matters affecting the City.
- (b) This code of ethics does not prohibit City officials from having other employment and financial interests. City officials, however, need to distinguish between inconsequential conflicts which are unavoidable and those conflicts which are substantial. The purpose of this code is to help City officials in avoiding serious conflicts of interest and promote confidence in our local government.

36.02 – Definitions.

For the purpose of this chapter the following terms, phrases and words and their derivations shall have the meaning specified herein. When not inconsistent with context, words used in the present tense include the future and words in the singular number include words in the plural number.

- (1) *Agent.* Any representative, including only those City employees specifically designated by the Board, whose function is to bring about, modify, affect, accept performance of or terminate contractual obligations between the City and third persons. All other non-designated full or part-time City employees are specifically excluded from this definition.

- (2) *Confidential Information*: Confidential information means written material or oral information related to city government, which is not otherwise subject to release under the public records law and which is expressly designated or marked as confidential.
- (3) *Financial Interest*. Any interest which shall yield directly a monetary or other material benefit to the official, employee or agent or to any person employing or retaining the services of the official, employee or agent.
- (4) *Immediate Family*. The official's or employee's spouse and any relative by marriage, lineal descent or adoption who receives, directly or indirectly, more than one half (½) of his support from the official or employee.
- (5) *Improper Conduct*. Any violations of this section.
- (6) *Person*. Any natural person, corporation, partnership or joint venture.
- (7) *Personal Interest*. Is an interest in either the subject matter or a relationship with the parties coming before the body.
- (7) *Relative*. A person related by blood as a first cousin or closer in kinship; a person related by blood to one's spouse as a first cousin or closer in kinship; or a person who through adoption is related to one's self or one's spouse as a first cousin or closer in kinship.

36.03 - Standards of Conduct.

- (1) *Responsibility of Public Officials and Standards of Conduct*.
 - (a) Elected and appointed officials, committee, commission, and board members and employees of the City should work for the benefit of the public and are bound to uphold the Constitution of the United States and the Constitution of the State of Wisconsin and to carry out independently and impartially the laws of the Nation, State and City; observe in their official acts the highest standards of morality; and to discharge faithfully the duties of their office/position regardless of personal consideration, recognizing that public interests must be their prime concern. The conduct of City officials, board and committee members, employees, agents and those furnishing contracted services to the City should foster respect for government.
 - (b) The provisions of the following sections of the Wisconsin Statutes are made part of this section and shall apply to elected and appointed officials whenever applicable, namely:

- (i) Wis. Stat. §19.81-§19.98 Open Meetings of Government Bodies;
- (ii) Wis. Stat. §946.10 Bribery of Public Officers and Employees;
- (iii) Wis. Stat. §946.11 Special Privileges from Public Utilities;
- (iv) Wis. Stat. §946.12 Misconduct in Public Office;
- (v) Wis. Stat. §946.13 Private Interest in Public Contract Prohibited;

(2) *Dedicated Service.*

- (a) A City official, board, commission, or committee member or employee should not use his or her position or office to obtain financial gain or anything of substantial value for his or her own personal benefit other than salary and benefits which he or she is due. These individuals should avoid promoting the special interests of any persons or group other than the best interests of the City.
- (b) A City official, board, commission or committee member, employee, agent or person furnishing contracted services should not exceed his or her authority and should work in full cooperation with public officials, board, commission, and committee members and City employees. Employees, agents and those furnishing contracted services should adhere to the rules of work and performance established as the standard for their positions by the appropriate authority.

- (3) *Fair and Equal Treatment.* Obligation to Citizens. No official, employee or agent shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

36.04 – Conflicts of interest.

- (1) *Financial or Personal Interests Prohibited.* No official, employee or agent, whether paid or unpaid, shall engage in any business or transaction or shall act in regard to financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his or her official duties in the public interest contrary to the provisions of this section or would be reasonably expected to impair his independence of judgment or action in the performance of his official duties.

(2) *Specific Conflicts Enumerated.*

- (a) *Incompatible Employment.* No official, employee or agent shall engage in or accept private employment or render service for private interest when such employment or service is incompatible with the proper discharge of his or her official duties or would tend to impair such official's, employee's or agent's independence, judgment or action in the performance of his or her official duties, unless otherwise permitted by law and unless disclosure is made herein provided.

- (b) *Disclosure of Confidential Information.* No official, employee, board or committee member or agent shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the City, nor shall such official, employee or agent use such information to advance the financial or other private interest of their self or others.
- (c) *Gifts and Favors.*
- (i) No elected or appointed official, employee or agent of the City shall accept anything of value, whether in the form of a gift, service, loan, thing or promise, from any person which may be reasonably expected to impair his or her independence of judgment or action in the performance of his or her duties. No elected or appointed official or agent shall grant in the discharge of his or her duties any improper favor, service or thing of value. Any elected or appointed official or agent who receives, directly or indirectly, any gift or gifts having an aggregate value of more than fifty dollars (\$50) within any calendar year from any person who is known by such official to be interested directly or indirectly in any manner whatever in business dealings with the City upon which the official or agent has any influence or input or over which the official or agent has any jurisdiction, discretion or control, shall disclose the nature and value of such gifts to the Ethics Board by January 20 of the next year in which the gift or gifts are received. A gift or favor made or granted to a member of any official's or agent's immediate family shall be deemed made or granted to the official.
- (ii) No elected or appointed official, employee or agent of the City may solicit or accept, either directly or indirectly, from any person or organization money or anything of value if it could reasonably be expected to influence the official's actions or judgments or be considered a reward for any action or inaction on the part of the official. Campaign contributions are an exception and should be carefully documented and handled in accordance with the provisions of the Wisconsin Statutes.
- (iii) An elected or appointed official, employee or agent is not to accept hospitality if after consideration of the surrounding circumstances it could reasonably be concluded that such hospitality would not be extended were it not for the fact that the guest or a member of the guest's immediate family was a City official. Participation in celebrations, grand openings, open houses, informational meetings and similar events are excluded from this prohibition. This paragraph further shall not be construed to prevent candidates for elective office from accepting hospitality from citizens for the purpose of supporting the candidate's campaign.

- (iv) Gifts received by an elected or appointed official, employee or agent under unusual circumstances may be referred to the Ethics Board within ten (10) days of receipt for recommended disposition.
 - (d) *Contracts with the City.* Except to the extent allowed by Wis. Stat. 946.13, no official, employee or agent of the City who, in his or her capacity as such official, in which such official, employee or agent has a private pecuniary interest, direct or indirect, or performs in regard to that contract some function requiring the exercise of discretion on the part of such official, employee or agent shall enter into any contract with the City.
 - (e) *Employment of Relatives.* No official, employee or agent, except as designated by the Board, shall participate in a discussion or proceeding which is held for the purpose of interviewing and/or hiring a job applicant; setting the salary, duties and/or conditions of employment of a job applicant or any employee; or firing of an employee, who is a relative of such official. No official shall head a department which employs a relative. No employee shall work in a department which is headed by a relative.
- (3) *Disclosure of Interest in Matters before the Common Council.*
- (a) To the extent known, all elected and appointed officials of the City, members of its boards, commissions and committees or employees of the City who have a financial **or personal** interest in any proposed action shall disclose on the records of the City promptly the nature and extent of such interest. To the extent known, all persons furnishing contracted services to the City, its boards or committees who have a financial interest in any proposed action shall, to the extent the proposed action relates to the contracted services provided or to be provided, disclose on a form supplied by the City Clerk promptly the nature and extent of such interest.
 - (b) Any other official, employee or agent who has a financial **or personal** interest in any proposed action and who participates in discussion with or gives an official opinion or recommendation to the Board or any board or committee shall disclose on a form supplied by the City Clerk promptly the nature and extent of such interest.

36.05 – Campaign Contributions.

Campaign contributions shall be reported by all candidates for official and employee positions in the City in strict conformity with the provisions of the Wisconsin Statutes.

36.06 - Ethics Board Structure.

- (1) *Membership.* The members of the Ethics Board shall be appointed by the Mayor and confirmed by the Council. Terms of office shall be three (3) years, except that when initial appointments are made, one shall be appointed for one (1) year, two (2) for two (2) years and two (2) for three (3) years. Three of the members appointed to the Ethics Board should be in good standing and include current or former legal professionals, clergy, human resources professionals or other current or former members of an occupation that demands adherence to an ethical standard or have formal training in the study of ethics and philosophy. No member of the Ethics Board may be a current or former member of the Common Council of the City of Sturgeon Bay. Two members appointed to the Ethics Board may be residents at large. All members of the Ethics Board must be residents of the City of Sturgeon Bay. If any member of the Ethics Board petitions the Board for an advisory opinion regarding his or her conduct, such member shall be mandatorily excluded from sitting in his or her own case.
- (2) *Leadership and Procedures.* The Ethics Board shall elect its own chairperson and vice-chairperson and may develop written rules of procedure which shall be submitted to the Board for approval.
- (3) *Amendment to Code of Ethics.* The Ethics Board may make recommendations to the Common Council with respect to amendments to this section.

36.07 – Ethics Board Complaints.

- (1) *Filing of a Verified Complaint.* For purposes of this section the term Code shall apply to the Code of Conduct for Elected Officials (Chapter 35 of this code) and the Ethics Code.
 - (a) *Initiating Action.* Any person may initiate a review before the Ethics Board of the conduct of any Official to be in violation of the City ethics code by filing a verified complaint, with the City Clerk together with a processing fee in the amount of two hundred dollars (\$200). Such verified complaint shall specify the activities of such officer or employee which are alleged to be in violation of the Code. The Clerk shall provide a form, created by the Ethics Board that may be used for such complaint that shall at a minimum require (1) the complainant's name, address and contact information; (2) the name and position of the City official who is the subject of the complaint; (3) the nature of the alleged violation, including the specific provision of this Code allegedly violated, and (4) a statement of facts constituting the alleged violation and the dates on which, or period of time during which, the alleged violation occurred.
 - (b) *Content of Complaint.* The complaint shall include a verification affidavit at the end of the complaint stating that the "information contained in the complaint is true and

correct and constitute a violation of the Code provisions cited in the complaint, or that the complainant has good reason to believe and believes in good faith that the facts alleged are true and correct and that they constitute a violation of the Code provisions cited in the Complaint.” The complainant shall swear to the facts by oath before a notary public, or before the City Clerk. The notary public or City Clerk shall verify the signature.

(c) *Limitation.* A complaint under the Code must be filed no later than one year from the date of discovery of the alleged violation.

(2) *Delivery of the Complaint and Answer.* The City Attorney or in the event of conflict, a special counsel appointed by the Ethics Board, shall act as counsel to the Ethics Board. Upon receipt the Clerk shall forward such complaint to the Chair of the Ethics Board who will see to it that the officer or employee accused in the complaint is notified of fact that a complaint has been filed and served (in person or by certified mail) a copy of the complaint within twenty (20) days of its filing. The accused party may file an answer to the complaint with the City Clerk at the accused’s option.

(3) *Determination of Probable Cause.* The Chair also shall convene the Ethics Board within sixty (60) days of the date of filing of the complaint with the clerk for the purpose of determining whether, when viewing the complaint in the light most favorable to the complaining party there is probable cause to believe the employee or officer has acted in violation of the Code. Such review shall be in closed session. The Ethics Board shall give the complaining party and the officer or employee named in the complaint notice of the meeting and may request clarification of the complaint or answer from either party.

(a) If the Ethics Board determines that no probable cause exists, it shall dismiss the complaint and notify the accused officer or employee, the complainant and such other persons as the board determines to have an interest.

(b) If the Ethics Board finds probable cause to believe a violation exists, it shall then proceed to hold a hearing as provided by this code.

(c) The Ethics Board may also, upon agreement of the complaining party and the officer or employee named in the complaint proceed to issue an advisory opinion on the facts alleged in the complaint in lieu of a hearing.

(d) The Ethics Board may direct the City Attorney or special counsel to further investigate the facts stated in the verified complaint and report back to the board.

(e) The complaining party may withdraw the complaint prior to a finding of probable cause. If probable cause is found by the Ethics Board, the complaint may not be withdrawn without the consent of the Ethics Board which may, at its complete

discretion, require the matter to continue to hearing with or without the consent of either party.

- (f) The Ethics Board may compromise or settle any potential action for violation of the Code. Whenever the board enters into a settlement agreement with an individual who is accused of a violation of the Code, the board shall reduce the agreement to writing, together with a statement of the board's findings and reasons for entering into the agreement and shall retain the statement and agreement in its records for inspection.

(3) *Hearing Process.*

- (a) Notice of the finding of probable cause, notice of hearing and a copy of the complaint shall be sent to the accused officer or employee by certified mail at his last known post office address within ten (10) days of the determination of probable cause.
- (b) The evidentiary hearing shall be scheduled more than twenty (20) days but less than sixty (60) days from the postmarked date of the notice of hearing. The hearing may however be adjourned at the request of either party for good cause shown or the Ethics Board.
- (c) Prior to the hearing date, the Chair and the City Attorney or designated counsel shall contact the parties for the purpose of a pre-hearing conference. At the pre-hearing conference, the parties shall disclose the witnesses they intend to call and any documentary evidence they intend to introduce. The parties request any subpoenas and discuss any other evidentiary or procedural issues related to the hearing.
- (d) The hearing shall be held before a quorum of the Ethics Board, presided over by the Chair or designated counsel. At the hearing each party may be represented by counsel at their own expense, the parties may present evidence, call and examine witnesses and cross-examine witnesses of the other party. Witnesses shall be sworn by the person presiding over the hearing. Each party shall have the opportunity to argue their position to the board.
- (e) The Secretary of the Ethics Board or designee shall take notes of testimony and shall mark and preserve all exhibits. The proceedings shall be transcribed or videotaped.
- (f) The hearing shall be noticed to be and conducted in closed session unless the accused officer requests, in writing, that it be open to the public. In all cases the Ethics Board may deliberate in closed session.

- (g) The burden shall be on the complaining party to show to by clear, satisfactory and convincing evidence a Code violation occurred by the officer accused.
- (h) If the accused fails to appear at the evidentiary hearing, the Ethics Board shall consider all allegations of the complaint to be true and shall determine what, if any sanctions are appropriate.
- (i) At the conclusion of the evidentiary hearing, the Ethics Board may require the parties to brief their positions, require supplementary arguments or take any other action deemed necessary to the board to create a complete record sufficient to make their decision. Upon completing deliberations, the Ethics Board shall, within thirty (30) days of making their determination, submit a report to the Council, including findings of fact, conclusions of law, and a recommendation as to what action, if any, the Council should take with respect to the individual charged. The Ethics Board shall provide the complainant and the individual charged with a copy of the report in person or by certified mail. Either the complainant or the person charged may file an objection to the report and shall have the opportunity to present arguments supporting the objection to the Council.

(j) Recommendations made to the Common Council that include disciplinary action must be approved by a super majority (majority plus one) of the entire Ethics Board.

(4) *Council Action-*

- (a) Review of Ethics Board Report. The Council shall take up the recommendation of the Ethics Board within 60 days of receipt of Ethics Board's report. The Council may adopt, reject, or modify the recommendation made by the Ethics Board. In making its decision the Council may require additional oral or written argument from the parties. After such review and is deemed necessary by the council if the Council, concludes that there is a violation of the Code, the Council may impose a sanction or penalty.
- (b) *Penalties and Sanctions Policy* - It is the intent of the Council to educate and, when necessary, discipline Officials who violate the Code. Discipline shall be progressive, from the least punitive to the most punitive measures, unless the Council believes that the progressive discipline does not provide the appropriate sanction because of the gravity of the offense, or because the Council does not believe the sanction would deter future misconduct. In all instances, the totality of the circumstances shall be taken into consideration in resolving the matter, including the intent of the one accused of wrongdoing.
- (c) *Possible Penalties and Sanctions.*

- (i) An informal censure by the Council, which would only be made as part of a motion in a public meeting.
 - (ii) A formal censure by the Council, which would be made by motion in a public meeting and then published in the City newspaper.
 - (iii) Mandatory community service. [Wis. Stat. 62.11(3)(e)]
 - (iv) Attendance at counseling or mediation sessions. [Wis. Stat. 62.11(3)(e)]
 - (v) Imposition of a dollar fine of up to \$500.00. [Wis. Stat. 62.11(3)(a) & (c)]
 - (vi) Any other sanction available by law.
- (d) *Penalties.* The imposition of any of these penalties or sanctions will require an affirmative vote of 3/4 of the Council, other than an informal or formal censure which shall only require a majority vote of the Council. A violation of the penalties imposed by Council may constitute grounds for removal from office under Wisconsin Statute §17.12(1)(a).
- (e) *Notice-* The municipal clerk shall give notice of the Council's decision to the person charged.

(5) *Applicability.*

- (a) *Incumbency.* This code shall apply to officials currently in office. If an official is removed from office in any manner, including the loss of an election or voluntary resignation while a complaint issued under this chapter is pending, the Board does not have jurisdiction to proceed and the complaint shall be dismissed.
 - (b) *Employees.* Complaints under the Code shall be limited to elected or appointed City Officials but does not include officials who are also employees. If employees violate the ethics code, they may be subject to disciplinary action, but not the procedures and sanctions of this chapter. Violation of this chapter are grounds for discipline up to and including termination.
- (6) *False or Frivolous Complaints.* A person who knowingly makes a false, misleading, or unsubstantiated statement in a complaint is subject to criminal prosecution for perjury and possible civil liability. It is possible that after reviewing a complaint, it is determined that a sworn complaint is groundless and appears to have been filed in bad faith or for the purpose of harassment, or that intentionally false or malicious information has been

provided under penalty of perjury. A City official who seeks to take civil action regarding any such complaint shall do so at his or her expense.

36.08 – Advisory Opinions.

- (1) *Request for Advisory Opinion.* Any individual, either personally or on behalf of an organization or governmental body, may, in writing, request the ethics board, to issue an advisory opinion regarding the propriety of any matter to which the person is or may become a party. It is prima facie evidence of intent to comply with the Ethics Code when a person requests an advisory opinion abides by the advisory opinion, if the material facts are as stated in the opinion request. The Ethics Board may authorize the City Attorney to act in its stead in instances where delay is of substantial inconvenience or detriment to the requesting party.
- (2) *Confidentiality.* Except as provided in par. (3), neither the City Attorney, a member of the Ethics Board, nor anyone else who becomes privy to the request or opinion may make public the identity of an individual requesting an advisory opinion or of individuals or organizations mentioned in the opinion.
- (3) *Exception to Confidentiality.* The Ethics Board or City Attorney replying to a request for an advisory opinion may make the opinion public with the consent of the individual requesting the advisory opinion or the organization or governmental body on whose behalf it is requested and may make public a summary of an advisory opinion issued under this subsection after making sufficient alterations in the summary to prevent disclosing the identities of individuals involved in the opinion. A person who makes or purports to make public the substance of or any portion of an advisory opinion requested by or on behalf of the person waives the confidentiality of the request for an advisory opinion and of any records obtained or prepared by the Ethics Board or the City Attorney for the local governmental unit in connection with the request for an advisory opinion.

36.09 – Distribution of the Code.

The Clerk shall provide copies of this section annually to elected and appointed officials, and shall keep at least one copy permanently on file for the use of the public. All employees shall receive a copy when they are hired.

Section 3.

All ordinances or resolutions in conflict with this ordinance is hereby revoked.

Section 4.

This Ordinance shall take effect upon passage by majority vote of the membership of the Common Council and publishing as provided by law.

PASSED AND ADOPTED by the Common Council of the City of Sturgeon Bay, Wisconsin this ____ day of _____, 2019.

ORDINANCE NO. _____

THE COMMON COUNCIL OF THE CITY OF STURGEON BAY, WISCONSIN DO ORDAIN AS FOLLOWS:

SECTION 1: Section 20.29(1) of Municipal Code (Zoning Code) is hereby repealed and recreated as follows:

Accessory building regulations, for single-family dwellings and two-family dwellings, shall be as follows:

~~(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 units 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.**

SECTION 2: This ordinance shall take effect the day after publication.

Approved:

Thad Birmingham
Mayor

Attest:

Stephanie L. Reinhardt
City Clerk

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:

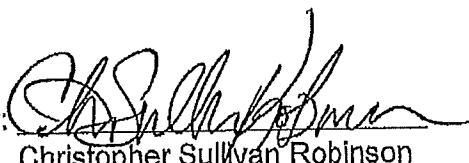
1. The general method increases the max height to 16 feet. This matches the County and some of the other nearby communities. There would be no extra requirements if the height is 16 feet or less.
2. The alternative method keeps the maximum height at 24 feet or the height of the dwelling, whichever is 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.

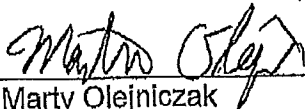
Prepared by:



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

ORDINANCE NO. _____

THE COMMON COUNCIL OF THE CITY OF STURGEON BAY, WISCONSIN DO ORDAIN
AS FOLLOWS:

SECTION 1: Section 20.10(2)(c)(11) of the Municipal Code (Zoning Code) of the City
of Sturgeon Bay, Wisconsin is hereby created as follows:

11. Detached accessory dwelling units shall comply with the following:

- 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.**
- b. The accessory dwelling unit shall comply with all building code regulation relating to dwellings.
- c. Floor Area. The floor area of accessory dwelling unit shall be exempted from the maximum floor area for accessory buildings on the lot.

SECTION 2: This ordinance shall take effect on the day after its publication.

Approved:

Thad Birmingham
Mayor

Attest:

Stephanie L. Reinhardt
City Clerk

Executive Summary
Accessory Dwelling Unit Code Text Amendment

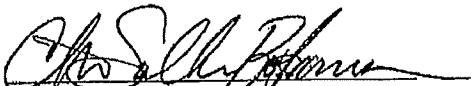
Background: Common Council approved the accessory dwelling unit ordinance a couple weeks ago with a modification that requires new construction to be setback at 10 feet. That code went in effect last week.

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: 
Christopher Sullivan-Robinson
Planner / Zoning Administrator

2-28-19
Date

Reviewed By: 
Marty Olejniczak
Community Development Director

2-28-19
Date

**RESOLUTION
CITY OF STURGEON BAY**

WHEREAS, the City of Sturgeon Bay is interested in acquiring or developing lands for public outdoor recreation purposes as described in the application; and

WHEREAS, financial aid is required to carry out the project; the City of Sturgeon Bay has budgeted a sum sufficient to complete the project or acquisition and

HEREBY AUTHORIZES *Mike Barker, Director of Municipal Services*, to act on behalf of the City of Sturgeon Bay to:

- Submit an application to the State of Wisconsin Department of Natural Resources for any financial aid that may be available;
- Submit reimbursement claims along with necessary supporting documentation within 6 months of project completion date;
- Submit signed documents; and
- Take necessary action to undertake, direct and complete the approved project.

BE IT FURTHER RESOLVED the City of Sturgeon Bay will comply with state or federal rules for the programs; may perform force account work; will maintain the completed project in an attractive, inviting and safe manner; will keep the facilities open to the general public during reasonable hours consistent with the type of facility; and will obtain from the State of Wisconsin Department of Natural Resources or the National Park Service approval in writing before any change is made in the use of the project site.

Introduced this _____ day of _____, 2019.

Passed and adopted this _____ day of _____, 2019.

Moved by Alderperson _____, seconded by Alderperson _____ to adopt.

I hereby certify that the foregoing resolution was duly adopted by the Sturgeon Bay Common Council _____ day of _____, 2019.

Vote: Ayes: _____ Noes: _____

Authorized Signature

Date Certified

Title