



**CITY OF STURGEON BAY COMMON COUNCIL AGENDA
TUESDAY, MAY 21, 2019
7:00 P.M.
COUNCIL CHAMBERS, CITY HALL – 421 MICHIGAN ST
DAVID J. WARD, MAYOR**

- 1. Call to order.**
- 2. Pledge of Allegiance.**
- 3. Roll call.**
- 4. Adoption of agenda.**
- 5. Public Comment.**
- 6. Consideration of the following bills: General Fund – \$193,034.91, Capital Fund - \$1,244.15, Cable TV - \$7,553.04, TID #4 - \$12,212.46, and Solid Waste Enterprise Fund - \$20,175.73 for a grand total of \$234,220.29. roll call]**

7. CONSENT AGENDA

*** All items listed with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests before the Adoption of the Agenda, in which event the item will be removed from the Consent Agenda and considered immediately following the consent agenda.**

*** a. Approval of 5/7/19 regular minutes Common Council minutes.**

*** b. Approval of the following minutes:**

- (1) Sturgeon Bay Utility Commission – 4/9/19**
- (2) Ad Hoc West Waterfront Planning Committee – 4/26/19**
- (3) Finance/Purchasing & Building Committee – 4/30/19**
- (4) Board of Public Works – 5/7/19**
- (5) Community Protection & Services Committee – 5/13/19**
- (6) Zoning Board of Appeals – 5/14/19**

*** c. Place the following reports on file:**

- (1) Inspection Department Report – April 2019**
- (2) Police Department Report – April 2019**

*** d. Consideration of: Approval of beverage operator licenses.**

*** e. Consideration of: Approval of Six Month Class B Beer license.**

*** f. Consideration of: Approval of Temporary Beer and Temporary Wine licenses.**

*** g. Consideration of: Approval of Street Closure Application for SPF Promotions.**

*** h. Consideration of: Approval of Sidewalk Café Permit for Door County Fire Company.**

- * i. Community Protection & Services Committee recommendation re: Approve maintaining the current meeting time, place and day for Common Council meetings.
 - * j. Community Protection & Services Committee recommendation re: Approve the start of the process for amending the purchase or possession of tobacco products ordinance to include the purchase or possession of vaping/e-cigarette products.
 - * k. Community Protection & Services Committee recommendation re: Create an ordinance for pedal carts, with the understanding that final routes are established and approved by the Police Department.
 - * l. Community Protection & Services Committee recommendation re: Approve resolution in support of Door County Emergency Services and forward to the County Board.
 - * m. Community Protection & Services Committee recommendation re: Approve the Policy for Preparation of Agendas and Meeting Packets.
 - * n. Community Protection & Services Committee recommendation re: Approve as amended the Public Comment Policy for Common Council meetings.
8. Mayoral appointments.
 9. Second reading of Chapter 35 – Code of Conduct and Chapter 36 – Code of Ethics of the Municipal Code.
 10. Consideration of: Approval of letter regarding City of Sturgeon Bay OHWM Determination at 92 E. Maple Street.
 11. Consideration of: Requesting an Ordinary High Watermark (OHWM) on all City and WRA owned property in TID's 2 and 4 (excluding Lots 92 & 100.) (Ald. Avenson & Ald. Hayes)
 12. Update on Granary and SBHS Development Agreement.
 13. Items to be Included on Future Agendas (New Business).
 14. Committee Chairperson Reports:
 - a. Personnel Committee
 - b. Parking & Traffic Committee
 - c. Community Protection & Services Committee
 - d. Utility Commission
 15. City Administrator report.
 16. Mayor's report.
 17. 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: Response to public records request regarding litigation.

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.
 18. Adjourn.

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.

Posted:

Date: 5.17.19

Time: 12:00pm

By: JM

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CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT

INVOICES DUE ON/BEFORE 05/21/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE

GENERAL FUND				
GENERAL FUND				
REVENUE				
R0001566	ROBERT HATALA	SHELTER RESERVE RFND/HATALA	01-000-000-46300	55.00
R0001566		STATE TAX RFND/HATALA	01-000-000-24214	2.75
R0001566		COUNTY TAX RFND/HATALA	01-000-000-24215	0.28
R0001568	SALLY WARWICK	HAZARD ITEM REFUND/S WARWICK	01-000-000-48105	32.00
TOTAL REVENUE				90.03
TOTAL GENERAL FUND				90.03
CITY COUNCIL				
03133	CELLCOM WISCONSIN RSA 10	04/19 3 ALDERS CELLPHONES	01-105-000-58999	115.37
TOTAL				115.37
TOTAL CITY COUNCIL				115.37
LAW/LEGAL				
03950	DAVIS KUELTHAU	01/19 LEGAL MATTERS	01-110-000-55010	6,007.00
16555	PINKERT LAW FIRM, LLP	DOCKET FEE-KOLSKI	01-110-000-55010	5.00
BLAZKOV	BLAZKOVEC, BLAZKOVEC & DOWNEY	CASE 18-FO-358	01-110-000-55010	157.50
BLAZKOV		CASE 18-FO-359	01-110-000-55010	427.50
BUELOW	BUELOW, VETTER, BUIKEMA,	GENERAL LABOR	01-110-000-57900	1,089.50
TOTAL				7,686.50
TOTAL LAW/LEGAL				7,686.50
COMPUTER				
04696	DOOR COUNTY TREASURER	04/19 IS INTERNET USAGE	01-125-000-55550	100.00
04696		2019 2ND QTR SOFTWARE MAINT	01-125-000-55550	6,338.89
04696		04/19 TECH SUPPORT	01-125-000-55550	2,500.00
04696		04/19 2G INTERNET	01-125-000-55550	375.00
04696		2019 1ST QTR FIBER MAINTENANCE	01-125-000-55550	126.82
04696		SSD/OLEJNICZAK	01-125-000-55500	52.99
TOTAL				9,493.70
TOTAL COMPUTER				9,493.70
CITY ASSESSOR				
ASSO APP	ASSOCIATED APPRAISAL	05.21.19 CONTRACT	01-130-000-55010	1,333.33
TOTAL				1,333.33
TOTAL CITY ASSESSOR				1,333.33
BUILDING/ZONING CODE ENFORCEMT				

DATE: 05/14/2019
TIME: 15:25:08
ID: AP443000.CST

CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT

PAGE: 2

INVOICES DUE ON/BEFORE 05/21/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE

GENERAL FUND				
SAFEBUIL	SAFE BUILT	04/19 PERMITS	01-140-000-55010	7,010.00
SAFEBUIL		04/19 PLAN REVIEW	01-140-000-55010	552.50
TOTAL				7,562.50
TOTAL BUILDING/ZONING CODE ENFORCEMENT				7,562.50
MUNICIPAL SERVICES ADMIN.				
03133	CELLCOM WISCONSIN RSA 10	04/19 CHAD CELL SVC	01-145-000-58250	24.79
04575	DOOR COUNTY HARDWARE	SUNSCREEN	01-145-000-54999	9.99
TOTAL				34.78
TOTAL MUNICIPAL SERVICES ADMIN.				34.78
PUBLIC WORKS ADMINISTRATION				
03133	CELLCOM WISCONSIN RSA 10	04/19 STEVE CELL SVC	01-150-000-58250	31.78
03133		04/19 MIKE CELL SVC	01-150-000-58250	51.36
03133		04/19 CELL SVC	01-150-000-58250	7.55
TOTAL				90.69
TOTAL PUBLIC WORKS ADMINISTRATION				90.69
CITY HALL				
03159	CHARTER COMMUNICATIONS	04/19 FIRE CABLE SVC	01-160-000-58999	120.21
04575	DOOR COUNTY HARDWARE	PAINTING SUPPLIES	01-160-000-55300	32.36
19880	STURGEON BAY UTILITIES	421 MICHIGAN ST	01-160-000-56150	2,223.86
19880		421 MICHIGAN ST	01-160-000-58650	159.42
VIKING	VIKING ELECTRIC SUPPLY, INC	6" LIGHT CAN	01-160-000-55300	11.55
VIKING		LIGHT FIXTURE	01-160-000-55300	37.13
WARNER	WARNER-WEXEL WHOLESALE &	TISSUE	01-160-000-51850	80.18
WARNER		PAPER PRODUCTS	01-160-000-51850	55.19
TOTAL				2,719.90
TOTAL CITY HALL				2,719.90
INSURANCE				
MCCLONE	MCCLONE AGENCY, INC	06/19 WORK COMP	01-165-000-58750	10,708.00
MCCLONE		06/19 GEN LIAB	01-165-000-56400	3,253.00
MCCLONE		06/19 POLICE LIAB	01-165-000-57150	1,289.00
MCCLONE		06/19 PUBLIC OFFICIAL	01-165-000-57400	1,235.00
MCCLONE		06/19 AUTO LIAB	01-165-000-55200	1,908.00
MCCLONE		06/19 AUTO PHY DAMAGE	01-165-000-55200	1,887.00
TOTAL				20,280.00
TOTAL INSURANCE				20,280.00

DATE: 05/14/2019
TIME: 15:25:08
ID: AP443000.CST

CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT

PAGE: 3

INVOICES DUE ON/BEFORE 05/21/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
GENERAL EXPENDITURES				
04696	DOOR COUNTY TREASURER	04/19 CITY HALL PHONE SVC	01-199-000-58200	138.85
04696		04/19 FIRE PHONE SVC	01-199-000-58200	30.17
04696		04/19 DPW PHONE SVC	01-199-000-58200	31.92
04696		04/19 POLICE PHONE SVC	01-199-000-58200	57.09
08167	GANNETT WISCONSIN NEWSPAPERS	PHN WILTFANG	01-199-000-57450	33.96
08167		PHN WPS	01-199-000-57450	35.32
08167		PHN HEIGHT	01-199-000-57450	34.14
08167		PHN SETBACKS	01-199-000-57450	31.79
08167		PHN WPS	01-199-000-57450	28.25
08167		PHN HILPIPRE	01-199-000-57450	32.96
08167		PHN NICOLET BANK	01-199-000-57450	36.32
MEDIVAN	MEDIVAN, INC	3 AUDIOMETRIC TESTS	01-199-000-55605	58.81
TOTAL				549.58
TOTAL GENERAL EXPENDITURES				549.58
POLICE DEPARTMENT				
STAPLES	WISCONSIN DOCUMENT IMAGING LLC	4738 BLACK COPIES	01-200-000-51600	63.49
STAPLES		1138 COLOR COPIES	01-200-000-51600	45.52
US BANK	US BANK EQUIPMENT FINANCE	RICOH COPIER 39 OF 48	01-200-000-55650	167.00
US BANK		PROPERTY DAMAGE SURCHARGE	01-200-000-55650	27.02
TOTAL				303.03
TOTAL POLICE DEPARTMENT				303.03
POLICE DEPARTMENT/PATROL				
19880	STURGEON BAY UTILITIES	RECYCLE TV	01-215-000-54999	30.00
19880		SUNSET PRK BT LAUNCH	01-215-000-56150	10.77
19880		110 NEENAH AVE	01-215-000-56150	10.87
19880		SHORECREST RD CAMERA	01-215-000-56150	8.34
CHIEF	CHIEF'S CHOICE	2 OFFICER BADGES	01-215-000-52900	181.69
MODERN	MODERN MARKETING	BACK THE BLUE BRACELETS	01-215-000-54999	338.87
TOTAL				580.54
TOTAL POLICE DEPARTMENT/PATROL				580.54
FIRE DEPARTMENT				
06650	GALLS, AN ARAMARK COMPANY	NAME TAG	01-250-000-52950	25.50
06650		UNIFORMS	01-250-000-52900	80.93
06650		UNIFORMS	01-250-000-52900	265.92
19880	STURGEON BAY UTILITIES	TRAINING SITE LIGHTING	01-250-000-51405	1,999.81
19880		92 E MAPLE ST	01-250-000-56675	6.22
19880		MARTIN PARK RESTROOM	01-250-000-56675	6.22
19880		421 MICHIGAN ST	01-250-000-56675	133.25
19880		TRUCK FILL	01-250-000-56675	41.00
19880		MEM FLD WARMING HOUSE	01-250-000-56675	49.73
19880		SALT SHED	01-250-000-56675	6.22

INVOICES DUE ON/BEFORE 05/21/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE

GENERAL FUND				
19880		CITY GARAGE	01-250-000-56675	49.73
19880		GARLAND PARK	01-250-000-56675	6.22
19880		SUNSET CONSN CNTR	01-250-000-56675	49.73
19880		FRANK GRASSE MEM SHELTER	01-250-000-56675	15.54
19880		OTUMBA PARK	01-250-000-56675	6.22
19880		WEST SIDE WARMING HOUSE	01-250-000-56675	6.22
19880		WEST SIDE FIRE STATION	01-250-000-56675	49.73
19880		WEST SIDE FIRE STATION	01-250-000-56150	106.24
19880		WEST SIDE FIRE STATION	01-250-000-58650	89.09
19880		NEENAH AVE PAVILLION	01-250-000-56675	6.22
19880		NEENAH AVE RESTROOM	01-250-000-56675	31.08
19880		JAYCEE BALLFLD STND	01-250-000-56675	15.54
19880		WEST SIDE BALLFLD LIGHTS	01-250-000-56675	31.08
19880		GIRLS LITTLE LEAGUE	01-250-000-56675	49.73
19880		WARNING SIREN	01-250-000-56150	8.34
19880		QUINCY BALLFLD	01-250-000-56675	49.73
19880		MADISON AVE SPRNKL	01-250-000-56675	15.54
19880		10 PENNSYLVANIA DOCK	01-250-000-56675	15.54
19880		1018 GREEN BAY RD SIREN	01-250-000-56150	15.84
19880		EAST SIDE DOCK	01-250-000-56675	6.22
19880		CANAL RD SIREN	01-250-000-56150	14.52
19880		1ST AVE MARINA/RSTRM	01-250-000-56675	49.73
19880		KENTUCKY ST PRKING RAMP	01-250-000-56675	6.22
19880		KENTUCKY ST DOCK	01-250-000-56675	15.54
19880		KENTUCKY ST CITY MARINA	01-250-000-56675	49.73
19880		SIGN SHED	01-250-000-56675	6.22
19880		CHERRY BLSSM PRK	01-250-000-56675	15.54
19880		CLAY BANKS RD	01-250-000-56150	15.84
20725	T R COCHART TIRE CENTER	TIRE/CH10	01-250-000-53000	196.91
O'REILLY	O'REILLY AUTO PARTS-FIRST CALL	MINI LAMP	01-250-000-53000	2.39
O'REILLY		AIR BRAKE TUBE/FTG	01-250-000-53000	16.10
PAULCONW	PAUL CONWAY SHIELDS	SCBA WIPES	01-250-000-54999	345.47
PREVEA	PREVEA HEALTH WORKMED	NEW EMPLOYEE SCREENING	01-250-000-57100	56.00
TOTAL				4,028.59
TOTAL FIRE DEPARTMENT				4,028.59
STORM SEWERS				
04575	DOOR COUNTY HARDWARE	CONCRETE MIX	01-300-000-51150	22.77
04575		UTILITY PUMP	01-300-000-56250	79.99
04575		CEMENT/COUPLE ABS	01-300-000-51150	3.57
10750	PREMIER CONCRETE INC	1/2 CY CONCRETE	01-300-000-51150	56.50
TOTAL				162.83
TOTAL STORM SEWERS				162.83
SOLID WASTE MGMT/SPRING/FALL				
ADVANCED	ADVANCED DISPOSAL	MICROWAVE/2 TVS DISPOSAL	01-311-000-58400	90.00
ADVANCED		2.67 TON & 8 TVS	01-311-000-58400	406.93
TOTAL				496.93

DATE: 05/14/2019
TIME: 15:25:09
ID: AP443000.CST

CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT

PAGE: 5

INVOICES DUE ON/BEFORE 05/21/2019

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GENERAL FUND				
TOTAL SOLID WASTE MGMT/SPRING/FALL				496.93
COMPOST/SOLID WASTE SITE				
19880	STURGEON BAY UTILITIES	COMPOST SITE	01-320-000-56150	10.48
TOTAL				10.48
TOTAL COMPOST/SOLID WASTE SITE				10.48
STREET SWEEPING				
20725	T R COCHART TIRE CENTER	TIRE/DISPOSAL	01-330-000-51400	946.00
TOTAL				946.00
TOTAL STREET SWEEPING				946.00
SNOW REMOVAL				
13825	MORTON SALT	410,860 LBS ROAD SALT	01-410-000-52400	13,281.05
TOTAL				13,281.05
TOTAL SNOW REMOVAL				13,281.05
STREET SIGNS AND MARKINGS				
04276	DIAMOND VOGEL PAINT CENTER	350 G WHITE PAINT @ 10.72	01-420-000-52100	3,752.00
04276		300 G YELLOW PAINT @ 10.49	01-420-000-52100	3,147.00
04276		15 G BLUE PAINT @ 14.37	01-420-000-52100	215.55
TOTAL				7,114.55
TOTAL STREET SIGNS AND MARKINGS				7,114.55
STREET MACHINERY				
04575	DOOR COUNTY HARDWARE	STIHL WEDGE	01-450-000-52700	11.90
04575		SHOVELS	01-450-000-52700	19.98
20725	T R COCHART TIRE CENTER	TIRES	01-450-000-52850	939.34
20725		O RINGS/DISMOUNT-MOUNTS	01-450-000-53000	300.00
20725		AIR INFLATORS	01-450-000-53000	8.00
20725		FLAT REPAIR & TIRE CHANGES	01-450-000-52850	100.00
AMERWELD	AMERICAN WELDING & GAS, INC	1 OXYGEN BOTTLE	01-450-000-53000	22.57
AMERWELD		2 ARGON/CO2 @ 57.82	01-450-000-53000	115.64
AMERWELD		HAZMAT HANDLING FEE	01-450-000-53000	10.00
AMERWELD		ACETYLENE	01-450-000-53000	34.80
AMERWELD		OXYGEN	01-450-000-53000	52.20
AMERWELD		ARGON/CO2	01-450-000-53000	34.80

DATE: 05/14/2019
TIME: 15:25:09
ID: AP443000.CST

CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT

PAGE: 6

INVOICES DUE ON/BEFORE 05/21/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
AMERWELD		CYLINDER RENTAL	01-450-000-53000	14.85
O'REILLY	O'REILLY AUTO PARTS-FIRST CALL	COPPER PLUG	01-450-000-51400	7.47
O'REILLY		BULLET TERM	01-450-000-51400	3.99
TOTAL				1,675.54
TOTAL STREET MACHINERY				1,675.54
CITY GARAGE				
01766	AURORA MEDICAL GROUP	PRE EMPLOY SCREEN/BRATLAND	01-460-000-57100	133.00
01766		PRE EMPLOY SCREEN/DAVIS	01-460-000-57100	133.00
18950	SAFETY-KLEEN CORP	20 GAL PARTS WASHER SVC	01-460-000-54999	256.18
19880	STURGEON BAY UTILITIES	SALT SHED	01-460-000-56150	80.85
19880		CITY GARAGE	01-460-000-56150	854.08
19880		CITY GARAGE	01-460-000-58650	92.22
AMER O D	AMERICAN OVERHEAD DOOR	GARGAGE DOOR REPAIR/LABOR	01-460-000-55300	552.00
AMER O D		SPRAY LUBE	01-460-000-55300	8.00
TOTAL				2,109.33
TOTAL CITY GARAGE				2,109.33
HIGHWAYS - GENERAL				
19880	STURGEON BAY UTILITIES	808 S DULUTH AVE	01-499-000-58000	8.85
19880		EGG HRBR RD TRFFIC LIGHTS	01-499-000-58000	21.42
19880		N 14TH AVE & EGG HRBR RD TRFFC	01-499-000-58000	24.85
19880		TRFFC WARNING LIGHTS	01-499-000-58000	5.50
19880		WS TRFFC LIGHTS	01-499-000-58000	131.43
19880		342 ORNAMENTAL LIGHTS	01-499-000-58000	4,725.10
19880		528 OVERHEAD ST LIGHTS	01-499-000-58000	6,898.20
19880		WALNUT & LANSING SIGN	01-499-000-58000	7.91
19880		EAST SIDE DOCK	01-499-000-58000	36.24
19880		OLD HWY RD SIGN	01-499-000-58000	8.24
TOTAL				11,867.74
TOTAL HIGHWAYS - GENERAL				11,867.74
PARK & RECREATION ADMIN				
03133	CELLCOM WISCONSIN RSA 10	04/19 MIKE CELL SVC	01-500-000-58250	51.35
03133		04/19 CELL SVC	01-500-000-58250	7.54
03133		04/19 CELL SVC	01-500-000-58250	24.79
DEBMCUMU	DEBBIE MCMULLEN	BALLOON ARTIST/SUMMER KICKOFF	01-500-000-52250	200.00
DEBMCUMU		TRAVEL	01-500-000-52250	35.00
JAKEJUMP	JAKE'S JUMPERS, T-ROX LLC	BOUNCE HOUSE/ROCK WALL	01-500-000-52250	1,730.00
MCMULLEN	MIKAELA MCMULLEN	BALLOON ARTIST/SUMMER KICKOFF	01-500-000-52250	200.00
NEW ZOO	NEW ZOO & ADVENTURE PARK	ZOOMOBILE/SUMMER KICKOFF	01-500-000-52250	255.00
STAPLES	WISCONSIN DOCUMENT IMAGING LLC	TONER	01-500-000-51250	204.46
TOTAL				2,708.14

DATE: 05/14/2019
TIME: 15:25:09
ID: AP443000.CST

CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT

PAGE: 7

INVOICES DUE ON/BEFORE 05/21/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE

GENERAL FUND				
TOTAL PARK & RECREATION ADMIN				2,708.14
PARKS AND PLAYGROUNDS				
04545	DOOR COUNTY COOPERATIVE/NAPA	PIPE SEALANT	01-510-000-52100	7.99
04575	DOOR COUNTY HARDWARE	4 FASTENERS	01-510-000-52550	1.72
04575		LOCK CLASSRM LEVR	01-510-000-51850	69.99
04575		AERATOR	01-510-000-51850	6.99
04575		CLEANER	01-510-000-51850	11.99
04575		FASTENERS/WASHERS	01-510-000-52700	19.67
04575		HEX BIT	01-510-000-52700	7.99
04575		FLAGGING & DUCT TAPE	01-510-000-52700	8.38
04575		KEYS	01-510-000-54999	6.93
04575		JNT COMPND/SCREWDRVR,WIRE	01-510-000-52100	12.97
08225	HERLACHE SMALL ENGINE	RECOIL	01-510-000-52700	25.97
08225		WEED EATER LINE	01-510-000-52700	13.99
12100	LAMPERT YARDS INC	CEDAR 248-08RS	01-510-000-51800	34.99
19880	STURGEON BAY UTILITIES	MARTIN PARK	01-510-000-56150	8.45
19880		MARTIN PARK RESTROOM	01-510-000-58650	18.52
19880		MEM FLD WARMING HOUSE	01-510-000-56150	125.72
19880		MEM FLD WARMING HOUSE	01-510-000-58650	58.96
19880		GARLAND PARK	01-510-000-56150	8.24
19880		GARLAND PARK	01-510-000-58650	17.76
19880		SUNSET CONSN CNTR	01-510-000-56150	221.65
19880		SUNSET CONSN CNTR	01-510-000-58650	52.16
19880		FRANK GRASSE MEM SHELTER	01-510-000-56150	20.30
19880		FRANK GRASSE MEM SHELTER	01-510-000-58650	26.55
19880		OTUMBA PARK	01-510-000-56150	13.20
19880		OTUMBA PARK	01-510-000-58650	18.52
19880		WEST SIDE WARMING HOUSE	01-510-000-56150	27.21
19880		WEST SIDE WARMING HOUSE	01-510-000-58650	18.52
19880		JAYCEE BALLFLD STND	01-510-000-56150	10.05
19880		JAYCEE BALLFLD STND	01-510-000-58650	24.28
19880		MICHIGAN FLAG LIGHT	01-510-000-56150	27.29
19880		MEM FLD PKG LOT	01-510-000-56150	8.24
19880		WEST SIDE BALLFLD LIGHTS	01-510-000-56150	18.00
19880		MEM FLD COMPLEX	01-510-000-56150	341.77
19880		GIRLS LITTLE LEAGUE	01-510-000-56150	24.83
19880		GIRLS LITTLE LEAGUE	01-510-000-58650	27.33
19880		OTUMBA PRK WALKWAY	01-510-000-56150	11.68
19880		QUINCY BALLFLD	01-510-000-58650	27.00
19880		FLORIDA ST/SUNSET PRK	01-510-000-56150	14.12
19880		SIGN SHED	01-510-000-56150	13.40
19880		SIGN SHED	01-510-000-58650	17.76
19880		CHERRY BLSSM PRK	01-510-000-56150	11.07
19880		CHERRY BLSSM PRK	01-510-000-58650	24.28
20725	T R COCHART TIRE CENTER	TIRE REPAIR	01-510-000-51900	20.00
ADVAUTO	GENERAL PARTS DISTRIBUTION LLC	20 ONYX & 20 FLEX	01-510-000-53000	57.56
AKTRUCK	A & K TRUCKLAND, INC	FLOW REPAIR	01-510-000-53000	9.50
JIM FORD	JIM OLSON FORD-LINCOLN, LLC	IGNITION SWITCH REPLCE/F350	01-510-000-53000	105.53
LALUZERN	STEVE LALUZERNE	SAFETY BOOT REIMBURSE/LALUZERN	01-510-000-56800	62.50
SALZ	SALZSIEDER LANDSCAPE & NURSERY	3 MAPLE TREES @ 185 EA	01-510-000-58450	555.00
SALZ		ARBOR DAY DONATION-PLANTING	01-510-000-58450	-255.00
WARNER	WARNER-WEXEL WHOLESALE &	CLEANER	01-510-000-51850	298.32

DATE: 05/14/2019
TIME: 15:25:09
ID: AP443000.CST

CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT

PAGE: 8

INVOICES DUE ON/BEFORE 05/21/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE

GENERAL FUND				
WARNER		SOAP	01-510-000-51850	52.85
WARNER		SOAP	01-510-000-51850	90.48
TOTAL				2,463.17
TOTAL PARKS AND PLAYGROUNDS				2,463.17
BALLFIELDS				
04575	DOOR COUNTY HARDWARE	SPRING SNAP LINK	01-520-000-54999	23.88
04575		HARDWARE/SNAP BOLT	01-520-000-54999	27.59
TOTAL				51.47
TOTAL BALLFIELDS				51.47
MUNICIPAL DOCKS				
04575	DOOR COUNTY HARDWARE	FASTENERS	01-550-000-51850	5.96
19880	STURGEON BAY UTILITIES	36 S NEENAH PKG LOT LTS	01-550-000-56150	146.50
19880		NEENAH AVE PAVILLION	01-550-000-56150	11.39
19880		NEENAH AVE PAVILLION	01-550-000-58650	18.52
19880		NEENAH AVE RESTROOM	01-550-000-56150	141.38
19880		NEENAH AVE RESTROOM	01-550-000-58650	92.85
TOTAL				416.60
TOTAL MUNICIPAL DOCKS				416.60
WATER WEED MANAGEMENT				
MONTY	MONTY THORSON	LAUNCH WEED HARVESTOR	01-560-000-58999	200.00
TOTAL				200.00
TOTAL WATER WEED MANAGEMENT				200.00
WATERFRONT PARKS & WALKWAYS				
04575	DOOR COUNTY HARDWARE	PAINT BRUSH/BRASS KEY	01-570-000-52100	7.55
04575		BRUSH/BIT SET	01-570-000-52100	37.97
04575		PUSH PLATE	01-570-000-54999	17.98
04575		CAULK	01-570-000-52100	6.99
04575		RUB ALCOHOL/TRWL/SNIPS	01-570-000-54999	23.56
04575		KICKDOWN DOOR HOLDS	01-570-000-54999	8.59
04575		STOP/WASTE VALVE	01-570-000-54999	64.95
04575		BREAKER VACUUM BRASS	01-570-000-54999	75.90
04575		HOUSE NUMBERS	01-570-000-52650	46.11
19880	STURGEON BAY UTILITIES	DC MUSEUM WLKWAY	01-570-000-56150	13.00
19880		DC MUSEUM PKG LOT	01-570-000-56150	155.34
19880		JUNIPER ST WALKWAY	01-570-000-56150	97.38
19880		JUNIPER ST PRKING LOT	01-570-000-56150	58.81

DATE: 05/14/2019
TIME: 15:25:09
ID: AP443000.CST

CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT

PAGE: 9

INVOICES DUE ON/BEFORE 05/21/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
19880		10 PENNSYLVANIA DOCK	01-570-000-58650	11.40
19880		48 KENTUCKY ST WTRFRONT	01-570-000-56150	99.55
19880		1ST AVE MARINA/RSTRM	01-570-000-56150	101.92
19880		1ST AVE MARINA/RSTRM	01-570-000-58650	54.42
19880		KENTUCKY ST PRKING RAMP	01-570-000-56150	203.81
19880		KENTUCKY ST DOCK	01-570-000-58650	11.40
19880		KENTUCKY ST CITY MARINA	01-570-000-58650	27.66
TOTAL				1,124.29
TOTAL WATERFRONT PARKS & WALKWAYS				1,124.29
EMPLOYEE BENEFITS				
HUMANA	HRI	GO365 ADMIN FEES/REWARDS	01-600-000-50550	1,143.38
HUMANA		GO365 ADMIN FEES/REWARDS	01-600-000-50550	2,733.38
HUMANA		GO365 ADMIN FEES/REWARDS	01-600-000-50550	937.45
HUMANA		GO365 ADMIN FEES/REWARDS	01-600-000-50550	832.15
HUMANA		GO365 ADMIN FEES/REWARDS	01-600-000-50550	682.15
HUMANA		GO365 ADMIN FEES/REWARDS	01-600-000-50550	817.00
TOTAL				7,145.51
TOTAL EMPLOYEE BENEFITS				7,145.51
COMMUNITY & ECONOMIC DEVLPMT				
15028	MARTY OLEJNICZAK	MEAL/BAGGAGE/PARKING EXPNSE	01-900-000-55600	325.21
TOTAL				325.21
TOTAL COMMUNITY & ECONOMIC DEVLPMT				325.21
TOTAL GENERAL FUND				106,967.38
CAPITAL FUND				
CURB/GUTTER/SIDEWALK				
EXPENSE				
R0001567	RANDY DVORAK	35 LF CURBING @ 2 N 5TH AVE	10-440-000-59102	1,225.00
TOTAL EXPENSE				1,225.00
TOTAL CURB/GUTTER/SIDEWALK				1,225.00
PARKS AND PLAYGROUNDS				
EXPENSE				
04575	DOOR COUNTY HARDWARE	4 FASTERNERS @ 1.39EA	10-510-000-59075	5.56
04575		4 FASTENERS @ .65 EA	10-510-000-59075	2.60
04575		3/4 ALUMINUM	10-510-000-59075	10.99
TOTAL EXPENSE				19.15
TOTAL PARKS AND PLAYGROUNDS				19.15
TOTAL CAPITAL FUND				1,244.15

DATE: 05/14/2019
TIME: 15:25:09
ID: AP443000.CST

CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT

PAGE: 10

INVOICES DUE ON/BEFORE 05/21/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
CABLE TV				
CABLE TV / GENERAL				
CABLE TV / GENERAL				
02975	CAMERA CORNER	2 HI-DEF CAMERAS, SWITCH, INSTAL	21-000-000-59070	8,869.07
02975		EQUIP RETURN CREDIT	21-000-000-59070	-2,261.00
02975		SOFTWARE UPGRADE	21-000-000-59070	879.00
03159	CHARTER COMMUNICATIONS	04/19 CB MUSIC SVC	21-000-000-58999	65.97
TOTAL CABLE TV / GENERAL				7,553.04
TOTAL CABLE TV / GENERAL				7,553.04
TOTAL CABLE TV				7,553.04
TID #4 DISTRICT				
TID #4 DISTRICT				
TID #4 DISTRICT				
03950	DAVIS KUELTHAU	01/19 WDA LEGAL MATTERS	28-340-000-55001	270.00
03950		01/19 LEGAL MATTERS/SBHSF	28-340-000-55001	2,682.46
03950		01/19 GRANARY LEGAL/SBHSF	28-340-000-55001	9,220.00
MAD MARK	MADISON AVE MARKET	SANDWICHES/WEST SIDE MEETING	28-340-000-55001	40.00
TOTAL TID #4 DISTRICT				12,212.46
TOTAL TID #4 DISTRICT				12,212.46
TOTAL TID #4 DISTRICT				12,212.46
SOLID WASTE ENTERPRISE				
SOLID WASTE ENTERPRISE FUND				
SOLID WASTE ENTERPRISE FUND				
20725	T R COCHART TIRE CENTER	TIRE CHANGES	60-000-000-52850	240.00
20725		12 RECAPS/GARBAGE TRUCKS	60-000-000-52850	2,448.00
ADVANCED	ADVANCED DISPOSAL	239.90 TN GARBAGE	60-000-000-58300	14,998.57
ADVANCED		88.03 TN RECYCLE	60-000-000-58350	1,276.51
FLEETPRI	FLEETPRIDE	BRAKES/GARBAGE TRUCK	60-000-000-53000	1,161.02
INFOSEND	INFOSEND, INC	MARCH CITY NEWSLETTER	60-000-000-54999	51.63
TOTAL SOLID WASTE ENTERPRISE FUND				20,175.73
TOTAL SOLID WASTE ENTERPRISE FUND				20,175.73
TOTAL SOLID WASTE ENTERPRISE				20,175.73
TOTAL ALL FUNDS				148,152.76

MANUAL CHECKS

DELTA DENTAL \$5,963.21

05/01/19

Check # 85069

05/19 Dental Insurance

Various Departmental Accounts

NETWORK HEALTH \$80,104.32

05/01/19

Check # 85069

05/19 Health Insurance

Various Departmental Accounts

TOTAL MANUAL CHECKS \$86,067.53

DATE: 05/14/2019
TIME: 15:25:09
ID: AP443000.CST

CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT

PAGE: 11

INVOICES DUE ON/BEFORE 05/21/2019

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

GENERAL FUND	106,967.38	193,034.91
CAPITAL FUND	1,244.15	
CABLE TV	7,553.04	
TID #4 DISTRICT	12,212.46	
SOLID WASTE ENTERPRISE	20,175.73	
<hr/>		
TOTAL --- ALL FUNDS	148,152.76	234,220.29

SPK11 WIKONCANNING 5.14.19
JAN WILSON 5/14/19

COMMON COUNCIL
May 7, 2019

A meeting of the Common Council was called to order at 7:03 p.m. by Mayor Ward. The Pledge of Allegiance was recited. Roll call: Bacon, Hayes, Williams, Avenson, Nault, Wiederanders, and Reeths.

Bacon/Williams to adopt agenda. Carried.

A certificate of appreciation was presented to City of Sturgeon Bay retiree Gary DeGreef for his employment from 1990-2019.

Ryan Heise made a presentation to the Council regarding the Green Tier Legacy Communities.

Shirley Senarighi and Mark Nelson made a presentation to the Council regarding the Door County Civility Project.

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

Williams/Reeths to approve the following bills - General Fund - \$144,499.27, Capital Fund - \$41,612.75, Cable TV - \$5,101.67, TID #4 - \$12,656.62, and Solid Waste Enterprise Fund - \$15,889.10 for a grand total of \$219,759.41. Roll call: All voted aye. Carried.

Nault/Avenson to approve consent agenda:

- a. Approval of 4/16/19 regular Common Council minutes.
- b. Approval of the following minutes:
 - (1) Sturgeon Bay Utility Commission – 3/12/19
 - (2) Bicycle & Pedestrian Advisory Board – 4/1/19
 - (3) Ad Hoc West Waterfront Planning Committee – 4/4/19
 - (4) Zoning Board of Appeals – 4/9/19
 - (5) Finance/Purchasing & Building Committee – 4/9/19
 - (6) Board of Canvassers – 4/11/19
 - (7) Police & Fire Commission – 4/24/19
 - (8) Joint Park & Recreation Committee/Board – 4/24/19
 - (9) Community Protection & Services Committee - 4/30/19
- c. Place the following reports on file:
 - (1) Bank Reconciliation – December 2018
 - (2) Revenue & Expense Report – December 2018
 - (3) Bank Reconciliation – March 2019
 - (4) Revenue & Expense Report – March 2019
 - (5) Inspection Department Report – March 2019
 - (6) Fire Department Report – March 2019
- d. Consideration of: Approval of beverage operator licenses.
- e. Consideration of: Approval of Six Month Class B Beer licenses.
- f. Disallowance of Claim Resolution re: Randall Leamer Claim from February 13, 2019.
- g. Community Protection & Services Committee recommendation re: Mayor and City Administrator submit a letter of support in discussing the future of the Door to Door program to the Door County Board of Supervisors.
- h. Community Protection & Services Committee recommendation re: Approve the changes to Chapter 35 – Code of Conduct and Chapter 36 – Code of Ethics of the Municipal Code.
- i. Finance/Purchasing & Building Committee recommendation re: Accept the contract from Door County Inspections, LLC for building inspection services for the City of Sturgeon Bay.

Carried.

The following mayoral appointments were made:

LIBRARY BOARD

Williams/Hayes to approve:

Helen Bacon

Kelly Avenson

LOAN REVIEW COMMITTEE

Bacon/Nault to approve:

Dan Williams, Council Rep

HARBOR COMMISSION

Bacon/Wiederanders to approve:

Gary Nault, Council Rep

CABLE COMMUNICATION ADVISORY COUNCIL

Avenson/Reeths to approve:

Dan Williams

INDUSTRIAL PARK DEVELOPMENT REVIEW TEAM

Nault/Wiederanders to approve:

Kirsten Reeths, Council Rep

BICYCLE/PEDESTRIAN ADVISORY BOARD

Hayes/Bacon to approve:

Kelly Avenson, Council Rep

UTILITY COMMISSION

Avenson/Reeths to approve:

David Ward

Dan Williams

Gary Nault

Seth Wiederanders

Carried with Hayes voting no.

HISTORIC PRESERVATION COMMISSION

Williams/Bacon to approve:

David Hayes

CITY PLAN COMMISSION

Nault/Bacon to approve:

Kirsten Reeths, Council Rep

Mark Holey

Jeff Norland

UTILITY COMMISSION

Bacon/Nault to approve:

Cindy Weber

Carried with Avenson voting no.

FIRE & POLICE COMMISSION

Bacon/Nault to approve:

Wayne Spritka

HARBOR COMMISSION

Nault/Williams to approve:

Steve Propsom

Nancy Schopf

HISTORIC PRESERVATION COMMISSION

Bacon/Nault to approve:

Barry Mellen
Mark Schuster
Trudy Herbst

ZONING BOARD OF APPEALS

Hayes/Williams to approve:

Dave Augustson
Nancy Schopf, Alt. No. 1
Morgan Rusnak, Alt. No. 2

LOCAL ARTS BOARD

Avenson/Hayes to approve:

Laure Hauser

BOARD OF PARKS & RECREATION

Mike Barker

BOARD OF REVIEW

Williams/Avenson to approve:

Richard Allmann
Howie Phipps

BICYCLE & PEDESTRIAN ADVISORY BOARD

Nault/Bacon to approve:

Chris Sullivan-Robinson, Planner/Zoning Administrator
Mark Smullen, SBSD Rep
Matt Young

CABLE COMMUNICATION SYSTEM ADVISORY COUNCIL

Reeths/Williams to approve:

Margo Ireland

AESTHETIC DESIGN & SITE PLAN REVIEW BOARD

Wiederanders/Nault to approve:

Dave Augustson
Mark Lake

INDUSTRIAL PARK DEVELOPMENT REVIEW TEAM

Hayes/Nault to approve:

Wm. Murrock, Industrial Park Develop Property Owner
Jim Schuessler, DCEDC Exec Director

DOOR COUNTY ECONOMIC DEVELOPMENT CORP

Nault/Bacon to approve:

David Ward, Council Rep
Josh VanLieshout, City Administrator

LOAN REVIEW COMMITTEE/REVOLVING LOAN COMMITTEE

Williams/Nault to approve:

Steven C. Asher, CPA
Michael Gilson, Nicolet Bank
Greg Stephan, Bank of Luxemburg
David Ward, Mayor
Josh VanLieshout, City Administrator, Ex Officio

STURGEON BAY VISITOR CENTER

Reeths/Wiederanders to approve:

Gary Nault, Council Rep.

DOOR COUNTY TOURISM ZONE COMMISSION

Williams/Bacon to approve:

Pam Seiler

Josh VanLieshout

WEED COMMISSIONER

Nault/Hayes to approve:

Mike Barker, Municipal Services Director

Avenson/William to read in title only and adopt the second reading of ordinance rezoning property 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. Carried.

Williams/Wiederanders to read in title only for first reading to create Chapter 35 – Code of Conduct. Carried.

Williams/Reeths to read in title only for first reading to create Chapter 36 – Code of Ethics. Carried.

Wiederanders/Reeths to refer to Community Protection & Services Committee the Organization of Council Meetings including: Day & Time of Meeting, Public Comment Policy, Policy for the preparation of agendas and meeting packets, and how to express interest in citizen committee appointments. Carried.

The following items were requested for future agendas: (Avenson) Update on City website; (Hayes) – Review Harbor Statement of Intentions.

The City Administrator gave his report.

City Plan Commission staff advisor Olejniczak, Finance/Purchasing & Building Committee chair Bacon and Park & Recreation chair Hayes presented reports for their respective committees/commissions.

The Mayor made his comments.

The Council discussed 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 due to the appellants amended motion.

After Mayor Ward announced the statutory basis, Williams/Nault to 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. Stat. 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. Carried with Avenson voting no. The Council went into closed session at 8:40 p.m. The Council adjourned in closed session at 9:47 p.m.

Respectfully submitted,



Stephanie L. Reinhardt
City Clerk/HR Director

STURGEON BAY UTILITIES
Regular Meeting
April 9th, 2019

President Stewart Fett called the regular meeting of the Utilities Commission to order at 12:00 p.m. at the Sturgeon Bay Utilities office. Roll call: President Stewart Fett, Mayor Thad Birmingham, Mayor-Elect David Ward and Commissioners Cindy Weber, Kelly Avenson and Steve Christoferson were present. Also present were General Manager James Stawicki, Operations Manager Cliff White recording secretary Laurie Bauldry and Energy Services Representative Markie Bscherer.

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

Weber/Ward to approve the minutes of the regular meeting held on March 12th, 2019. Motion carried.

The Commission proceeded to review the bills for March in the amount of \$1,745,224.80. Fett/Christoferson to approve payment of the bills. Motion carried.

The February 2019 financials were presented. Ward/Avenson to accept the financials. Motion carried.

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

Next was consideration of a voluntary capital contribution to ATC. The contribution of \$36,546.00 is due on April 30th, 2019. Ward/Christoferson to approve the ATC contribution of \$36,546.00 due April 30th, 2019. Motion carried

Markie Bscherer presented a proposal for a new SBU energy efficiency program involving home energy assessments. Avenson/Birmingham to approve the energy efficiency program. Motion carried.

Operations Manager White presented for approval a bid for the purchase of a new dump truck. Ward/Christoferson to accept the bid from Jim Olson in the amount of \$37,008.50 for the Chassis and the bid from Olson Trailer and Body in the amount of \$13,161.00 for the dump box. Motion carried.

Next White presented for approval a bid for the purchase of a new water service truck. Ward/Weber to accept the bid from Jim Olson in the amount of \$33,233.00 for the cab and chassis and the bid from Rollin-On Trailer Sales in the amount of \$6,125.00 for the bed and tool boxes. Motion carried.

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

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

- a) Adjustments
- b) Focus on Energy update

Stawicki reported 2019 year-to-date incentives from Focus on Energy for energy efficiency and conservation is \$ 16,729.67

Ward/Birmingham to adjourn. Motion carried. The meeting adjourned at 12:37 p.m.

Steve Christoferson
Secretary

Approved for publication:

Stewart Fett
President

Date: _____

James Stawicki
General Manager

Date: _____

AD HOC WEST WATERFRONT PLANNING COMMITTEE

Friday, April 26, 2019

A meeting of the Ad Hoc West Waterfront Planning Committee was called to order at 11:47 a.m. by Co-Chairperson Laurel Hauser at the Door County Community Foundation, 222 N. Third Ave.

Roll call: Members Laurel Hauser, David Schanock, Mike Gilson, Ryan Hoernke, Caitlin Oleson, Sara Powers, Mark Schuster, and Stephanie Trenchard were present. Jim Schuessler arrived at 11:48 a.m. Erich Pfeifer arrived at 12:05 p.m. Staff advisors present were Community Development Director Marty Olejniczak and Municipal Services Director Mike Barker. Also present were Mayor David Ward, City Administrator Josh Van Lieshout, and alderpersons Gary Nault, Dan Williams, and Helen Bacon, along with various members of the public.

Adoption of agenda: Moved by Mr. Schuester, seconded by Mr. Gilson adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from April 4, 2019.
4. Planning workshop and recommendations for West Waterfront Redevelopment Plan (facilitated by Graef - Ed Freer & Jim Vander Heiden).
6. Adjourn.

Carried.

Approval of minutes from April 4, 2019: Moved by Ms. Trenchard, seconded by Mr. Hoernke to approve the minutes from April 4, 2019. All ayes. Carried.

Planning workshop and recommendations for West Waterfront Redevelopment Plan (facilitated by Graef - Ed Freer & Jim Vander Heiden: Co-chairs Ms. Hauser and Mr. Schanock thanked the committee for taking the time to participate in the workshop. They also thanked the public for attending, but mentioned that there would be no public comment at this meeting, since it was intended for the committee members to coalesce the information received so far into a redevelopment plan.

The Committee discussed the goal of the workshop with the facilitators. The desire was the creation of a redevelopment plan that goes beyond a simple "bubble diagram", but that is not meant to be a detailed engineered plan.

The facilitators, Ed Freer and Jim Vander Heiden, introduced themselves and their backgrounds. They stated the meeting was intended to build consensus among the committee and to not sabotage the committee's direction. They went over the planning assumptions for the workshop, including the location of the ordinary high water mark as the meander line from the 1835 public land survey and that the grain elevator would be returned to its original location.

There was discussion regarding the tugboats currently moored along the West Waterfront dock wall, including how space is required for them, whether there should be land-based operations vs. just mooring of vessels, and how to balance the public's apparent desire for working waterfront character with their apparent opposition to having a "grittier industrial feel" for the area. Mr. Freer discussed the option of having a "marquee boat or boats, but not a shipyard".

Prior to the meeting the committee was requested to write a short response to the following: "Projecting into the future, what do you hope your kids, grandkids, future generations will be enjoying at our west waterfront site? What will put Sturgeon Bay on the map in a memorable way? What will success look like?" At this point in the workshop the members read their individual responses. They discussed the commonalities within the statements.

The members discussed the results of the public input process and the main takeaways.

There was also discussion on the Council's decision to allow the grain elevator to move back to its original location, on the financial status of tax increment district #4, and on development options due to latest ordinary high water mark location.

After a short recess, the facilitators conducted a visioning exercise whereby the Committee was split into two groups and, each using a large map/air photo, created redevelopment site plans. Members Hauser, Gilson, Hoernke, Oleson, and Schuessler, along with Public Works Director Barker were in one group. Members Schanock, Pfeifer, Powers, Schuster, and Trenchard, along with Community Development Director Olejniczak were in the other group.

The results of the two plans were then described by Ms. Trenchard for her group and by Mr. Hoernke for his group. The two plans were compared and many similarities were noted.

The facilitators noted the following points:

- Regarding the dock wall/water's edge region –
 - Reduced amount of dock length for mooring tugboats
 - Reduced definition of working yard for vessels – no fueling
 - Tiered edge/separated walkway
 - Consistent promenade across entire site
 - Featured element – overlook near center of the dock wall
 - Ahnapee Trail should be signed to go through the site
 - Maintain a portion of dock wall as a transient dock
- Regarding the waterfront parcels –
 - Honor the axis to the waterfront with new development along that axis
 - There should be an iconic art showpiece
 - Use a portion of the existing marina/museum parking area for a new private development
 - Place public art at street views
 - Sawyer Park to get a children's play area or apparatus
 - A natural landscape can be used for Sawyer Park with an urban landscape for the West Waterfront site
 - Grain elevator to be relocated to a new location closer to the Oregon Street Bridge with a private use attached or adjacent to it
 - New development should occur for the portion along Maple Street
- Regarding the immediate region surrounding the waterfront parcels –
 - Parking deck to be situated in the block between E. Maple St. and E. Oak St.
 - New development along Neenah Avenue
 - Residential use for the West Side School/West Side Field site
 - Other infill sites for affordable housing (WHEDA tax credits)

It was announced Mr. Freer and Mr. Vander Heiden will take the information and ideas learned from the workshop and create a composite site plan/report that will be shared with the Committee. The Committee would then have the option of making changes before submitting it to the Council.

Ms. Hauser announced that the date of the next meeting is not set yet, but tentatively could be on May 16th.

Adjourn: Moved by Mr. Hoernke, seconded by Mr. Schuessler to adjourn. Carried. Meeting adjourned at 4:43 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Martin Olejniczak", with a stylized flourish at the end.

Martin Olejniczak
Community Development Director

FINANCE/PURCHASING & BUILDING COMMITTEE
April 30, 2019

A meeting of the Finance/Purchasing & Building Committee was called to order at 4:00 pm by Chairperson Bacon in the Council Chambers, City Hall. Roll call: Alderpersons Bacon, Wiederanders and Williams were present. Also present: Mayor Ward, Finance Director/City Treasurer Clarizio, Community Development Director Olejniczak, Fire Chief Dietman and Receptionist Metzger. City Administrator Van Lieshout entered at 4:04pm.

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

1. Roll call.
2. Adoption of agenda.
3. Public comment on agenda items and other issues related to finance & purchasing.
4. Consideration of: Building Inspection Services Contract.
5. Convene in closed session in accordance with the following exemptions:

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

a. Consideration of: Building Inspection Services Contract

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 Committee may adjourn in closed session.

6. Review bills.
7. Adjourn.

Carried.

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

Consideration of: Building Inspection Services Contract:

Community Development Director Olejniczak explained that the City has contracted for building inspection services since 2002. The current company SAFEbuilt, LLC submitted a 60 termination notice to end the contract with the City of Sturgeon Bay effective May 12, 2019. Mr. Olejniczak stated the City has the options to hire an in house part-time inspector, contract with another inspection company or let the State handle the inspections, however by using the State the City wouldn't have control over the inspection hire and would lose the portion of permit fees. He stated that request for inspection services proposal was advertised with three proposals received. KR Inspections, LLC, Inspection Specialists, LLC and Door County Inspections LLC. Both Inspection Specialists (IS) and Door County Inspection (DCI) are local companies, have the experience, back up staff, credentials, work performed based on 90/10% and met the RFP criteria. KR is based out of Appleton, has the credentials but work performed is based on hourly rate and the proposal wasn't as detailed. DCI is made up of staff currently doing the inspections for the City, and the proposed fee schedule is similar to the current fee schedule.

Moved by Alderperson Williams, seconded by Alderperson Wiederanders to recommend to Common Council to accept the contract from Door County Inspections LLC for building inspections services for the City of Sturgeon Bay. Carried.

The Committee did not go into closed session.

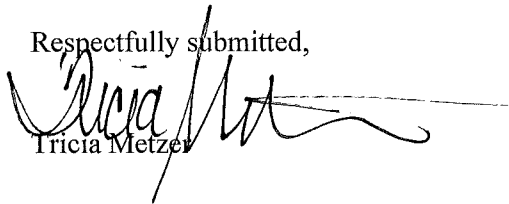
Review bills

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

The next Finance meeting is scheduled for May 21, 2019.

Moved by Alderperson Wiederanders, seconded by Alderperson Williams to adjourn. Carried. The meeting 4:21pm.

Respectfully submitted,


Tricia Metzger

BOARD OF PUBLIC WORKS
May 7, 2019

A meeting of the Board of Public Works was called to order by Mayor Ward at 6:32 p.m. Roll call: Members Mayor Ward, Bacon, Hayes, Williams, Nault, and Wiederanders were present. Avenson entered at 6:37 pm and Reeths was absent.

Nault/Bacon to adopt agenda.

1. Call to order.
2. Roll call.
3. Adoption of agenda.
4. Election of Chairperson.
5. Consideration of: Proposed Intersection Improvements along Hwy 42/57.
6. Adjourn.

Carried.

Williams/Nault to nominate Helen Bacon as the Chairperson of the Board of Public Works. There were no other nominations. Carried.

Bacon took the seat as Chairperson.

City Engineer Shefchik presented the proposed intersection improvements along Hwy 42/57 by the DOT in the years 2021-203.

There are a list of potential improvements that could be completed along Hwy 42/57 but would require local funding. Discussion took place regarding the potential improvements to: South Ashland Ave, Clay Banks Rd, and South Neenah Avenue.

Ward/Avenson to accept the recommendations submitted and to add a right turn lane on northbound Hwy 42/57 on Clay Banks Road. Carried.

Ward/Williams to adjourn. Carried. Meeting adjourned at 6:49 p.m.

Respectfully submitted,



Stephanie L. Reinhardt
City Clerk/HR Director

COMMUNITY PROTECTION & SERVICES COMMITTEE**May 13, 2019**

A meeting of the Community Protection & Services Committee was called to order at 4:00 p.m. by Chairperson Williams in the Council Chambers, City Hall. **Roll Call:** Members Mr. Williams, Ms. Reeths and Mr. Wiederanders were present. Also present were Mayor Ward, Fire Chief Dietman, Police Captain Brinkman and Alderperson Hayes.

Moved by Mr. Wiederanders seconded by Ms. Reeths to adopt the following amended agenda:

1. Roll call
2. Adoption of agenda
3. Public Comment on Non-Agenda Items
4. Consideration of: Pedal Carts Serving Beer
5. Consideration of: Vaping Ordinance
6. Discussion of: Local Paramedic Services
7. Consideration of: Resolution in Support of Current Door County Emergency Services
8. Consideration of: Organization of Common Council Meetings
 - a. Day and time of meeting
 - b. Public comment policy
 - c. Policy for the preparation of agendas and meeting packets
 - d. How to express interest in citizen committee appointments
9. Consideration of: Non-binding Cannabis Referendum Consideration of: Resolution in Support of Current Door County Emergency Services
10. Adjourn

Public Comment on Non-Agenda Items

No public comment.

Pedal Carts

Jason Estes and Steve Delarwelle from Sonny's Pizzeria, 129 N. Madison Avenue, Sturgeon Bay, spoke about their idea to bring a pedal cart into the City. Items discussed included types of tours offered, route taken, hours, speed, impeding traffic, lighting, drivers, emergencies and allowing alcohol.

- Tours offered: workout tour (mornings), family tours and pub tours (commercial district only).
- Route: leave out of Sonny's parking lot, over the Maple/Oregon Bridge, then depending on the tour either down Memorial Drive or to Sunset Park. The routes are still being determined.
- Hours: 10am-10pm unless an early morning workout tour is scheduled.
- Speed: the cart travels 5mph, or 15mph with battery assist.
- The cart will slow down traffic; similar to when the horse and carriage were in town.
- Lighting: the cart is equipped with headlights and taillights, and also has an LED light up canopy.
- Drivers: they are trained, but do not require a special license or permit.
- Emergencies: Sonny's has an electric car that can pick up passengers in case of emergency; they will also be equipped with communication devices.
- Allowing alcohol: it is not sold on the cart, however, participants will be allowed to bring up to 3-12oz beer or wine drinks.

Ms. Reeths would like to see the three potential routes mapped. Mr. Estes will get that done.

Moved by Ms. Reeths seconded by Mr. Wiederanders to recommend to the Common Council to approve establishing an ordinance for pedal carts, with the understanding that final routes are established and approved. All ayes. Carried.

Vaping Ordinance

Captain Brinkman gave an overview to the Committee regarding the statistics of e-cigarette use and minors. Not only police departments, but the local schools feel strongly about the regulation of e-cigarettes, stating it is becoming an epidemic.

There was a question of how the ordinance would be enforced. Captain Brinkman stated enforcement would be similar to how cigarettes are enforced. The officers will not go out and look for violators, but when a minor is caught with an e-cigarette then a citation would be issued. Captain Brinkman suggested amended the tobacco ordinance to include vaping/e-cigarettes.

Mr. Williams would like this item referred to the June CPS meeting pending review of handout information.

Moved by Mr. Wiederanders, seconded by Ms. Reeths to start the process for amending the tobacco ordinance to include vaping/e-cigarettes, bring it back to the June CPS meeting in preparation to move to Council. All ayes. Carried.

Paramedic Service

Fire Chief Dietman gave a background to the Committee on what is going on with the potential privatization of Door County's paramedic services. He will continue with updates to this Committee.

Resolution in Support of Current Door County Emergency Services

Fire Chief Dietman shared a draft version of a resolution to the County Board in support of Door County Emergency Services.

Moved by Ms. Reeths, seconded by Mr. Wiederanders to recommend to the Common Council to approve the resolution in support of Door County Emergency Services, and forward it onto the County Board. All ayes. Carried.

Organization of Common Council Meetings

Discussion to amendments to the general procedures for public comment at Common Council meetings included: day and time of meeting, public comment policy, preparation of agendas and meeting packets policy and committee appointments.

Meeting times:

Moved by Mr. Wiederanders, seconded by Ms. Reeths to recommend to the Common Council to approve maintaining current meeting structure time, place and day. All ayes. Carried.

Public comment:

Moved by Ms. Reeths, seconded by Mr. Wiederanders to recommend to the Common Council to approve as amended the public comment policy for Common Council meetings. All ayes. Carried.

Policy of agenda preparation:

Moved by Mr. Wiederanders, seconded by Ms. Reeths to recommend to the Common Council to approve the policy for the preparation of agendas and meeting packets as is. All ayes. Carried.

Committee appointments:

It was discussed interest in a committee, board or commission should be expressed to the Mayor and City Administrator. Information can be listed on the City website and social media pages.

Ms. Reeths discussed making the committee terms consistent with the election. All committee re-appointments shall occur at the first organizational meeting in May, if concurrent with the State statute. This will be discussed further at the next meeting.

Cannabis Referendum

Mr. Weideranders wants to keep discussion of the referendum open. The Committee needs to decide what the next step is before taking it to Council. Mr. Williams would like to see what other areas dis when their cannabis non-binding referendum passed. Ms.

Reeths suggested speaking with the two County Judges and the DA to get their perspective on how State law factors into a decision. It was decided the item would be further researched, and kept on the agenda as a standing item until a direction is decided upon.

Moved by Ms. Reeths, seconded by Mr. Wiederanders, to adjourn the meeting of the Community Protection Services Committee. All ayes. Carried. The meeting was adjourned at 5:50 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Sarah Spude-Olson".

Sarah Spude-Olson
Police Department
Administrative Office Manager

ZONING BOARD OF APPEALS
Tuesday, May 14, 2019

The City of Sturgeon Bay Zoning Board of Appeals meeting was called to order at 12:12 p.m. by Chairperson William Murrock in the Council Chambers, City Hall, 421 Michigan Street.

Roll call: Members Bill Chaudoir, James Goodwin, Wayne Spritka, William Murrock, and Dave Augustson were present. Also present were 1st Alternate Nancy Schopf, 2nd Alternate Morgan Rusnak, Planner/Zoning Administrator Chris Sullivan-Robinson, and Community Development Secretary Cheryl Nault.

Adoption of agenda: Moved by Mr. Augustson, seconded by Mr. Spritka to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from April 30, 2019.
4. Election of officers.
5. Public Hearing: Petition for a variance from s.20.29(6) of the Municipal Code (Zoning Code) to exceed the total floor area allowable for accessory buildings, for Jacquelyn White, 221 S. Duluth Avenue.
6. Consideration of: Petition for a variance from s.20.29(6) of the Municipal Code (Zoning Code) to exceed the total floor area allowable for accessory buildings, for Jacquelyn White, 221 S. Duluth Avenue.
7. Adjourn.

Carried.

Approval of minutes from Tuesday, April 30, 2019: Moved by Mr. Augustson, seconded by Mr. Spritka to approve the minutes from April 30, 2019. All ayes. Carried.

Election of officers: All existing officers will remain the same. Mr. Murrock as chair, Mr. Chaudoir as vice-chair, and Mr. Goodwin as secretary.

Morgan Rusnak introduced herself as Alternate #2 and Nancy Schopf introduced herself as Alternate #1. They both gave a brief background about themselves.

Public Hearing: Petition for a variance from s.20.29(6) of the Municipal Code (Zoning Code) to exceed the total floor area allowable for accessory buildings, for Jacquelyn White, 221 S. Duluth Avenue: Chairperson Murrock opened the public hearing at 12:19 p.m.

Mr. Sullivan-Robinson stated that Ms. White owns the property at 221 S Duluth Avenue. She and her husband are proposing to build a 25' x 30' accessory building. Two accessory buildings are allowed on a lot that cannot exceed more than 1,000 total square feet or 3%

of the lot area. This proposed building would exceed the maximum allowed by approximately 700 square feet. They had previously received a 576 square-foot variance for a 24' x 24' accessory building that had never been built.

Jacquelyn White, 221 S Duluth Avenue, stated that she came before the ZBA about 2 ½ years ago and received a variance. She obtained a building permit in August, 2017 and couldn't find anyone to build their garage. As she also stated in 2017, her husband is 100% disabled, with many health issues. The doors on the existing building are 7 feet high, which is not high enough to house their truck. The proposed building is 13 feet high and ten feet on the sides. The door would be 8 feet high. She wasn't sure if the company they purchased the building from would give them their deposit back if they went to a smaller size building. Their proposed building is a galvanized steel building and will match the house colorwise.

Mr. Chaudoir suggested that Ms. White contact the building company to see if they can exchange the 25' x 30' building for a 24' x 24' building that was already approved.

Debbie Geitner, 206 S. Duluth Avenue, stated that their existing barn building is beautiful and should never be taken down. From her house, it would be a better view with the proposed garage, since it would block the other storage buildings located behind the White's property.

One letter of correspondence was received from Jeff Kuhns, 212 S Duluth Avenue, in favor of the variance.

The public hearing was declared closed at 12:41.

Consideration of: Petition for a variance from s.20.29(6) of the Municipal Code (Zoning Code) to exceed the total floor area allowable for accessory buildings, for Jacquelyn White, 221 S. Duluth Avenue: After discussion, it was moved by Mr. Goodwin, seconded by Mr. Chaudoir to table until the next ZBA meeting, subject to it being feasible to exchange the proposed building size with the already approved variance. All ayes. Carried.

Adjourn: Moved by Mr. Chaudoir, seconded by Mr. Augustson to adjourn. Carried. Meeting adjourned at 12:47 p.m.

Respectfully submitted,



Cheryl Nault
Community Development Secretary

CITY OF STURGEON BAY
INSPECTION DEPARTMENT

April 30, 2019

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

April-19	YEAR TO DATE		April-19	YEAR TO DATE
2	3	ONE FAMILY DWELLINGS	418,000	683,000
1	1	TWO FAMILY DWELLINGS	264,250	264,250
0	0	MULTIPLE FAMILY DWELLINGS	-----	-----
0	0	MANUFACTURED HOME	-----	-----
0	0	C.B.R.F.	-----	-----
0	0	RESIDENTIAL ADDITIONS	-----	-----
3	7	RESIDENTIAL ALTERATIONS	4,700	167,950
1	1	RESIDENTIAL GARAGES/CARPORTS	24,000	24,000
0	0	RESIDENTIAL GARAGE ADDITIONS & ALTERATIONS	-----	-----
4	4	RESIDENTIAL STORAGE BUILDINGS	9,500	9,500
0	0	RESIDENTIAL SWIMMING POOLS	-----	-----
0	0	NON-RESIDENTIAL SWIMMING POOLS	-----	-----
0	0	NEW COMMERCIAL BUILDINGS	-----	-----
0	1	NON-RESIDENTIAL GARAGES & STORAGE BUILDINGS	-----	269,000
0	0	NON-RESIDENTIAL ADDITIONS	-----	-----
3	13	NON-RESIDENTIAL ALTERATIONS	362,220	794,220
0	0	MUNICIPAL BUILDINGS	-----	-----
0	0	WAREHOUSES	-----	-----
0	0	FACTORY & SHOP	-----	-----
0	0	COMMUNICATION TOWER	-----	-----
0	0	SUBSTATION	-----	-----
0	0	AGRICULTURAL BUILDINGS	-----	-----
14	30	TOTAL ESTIMATED COST OF CONSTRUCTION	\$1,082,670	\$2,211,920
April-19	YEAR TO DATE	TOTAL PERMITS ISSUED	April-19	YEAR TO DATE
14	30	BUILDING PERMITS	2,529	6,502
16	36	ELECTRICAL PERMITS	1,322	5,646
7	17	PLUMBING PERMITS	903	2,006
9	20	HEATING PERMITS	2,872	7,473
9	89	SIGN PERMITS	370	2,990
0	2	MISCELLANEOUS PERMITS	-----	225
0	0	SUMP PUMP PERMITS	-----	-----
0	0	ELECTRICIAN LICENSES	-----	-----
0	0	EARLY STARTS	-----	-----
3	4	EROSION CONTROL	300	400
0	0	STATE PLAN APPROVALS	-----	-----
2	3	PARK & PLAYGROUND PAYMENTS	600	900
2	3	WISCONSIN PERMIT SEALS	70	105
1	4	ZONING BOARD OF APPEALS APPLICATIONS	300	1,200
0	1	ZONING CHANGES/P.U.D. APPLICATIONS	-----	427
0	1	PLAN COMMISSION - CONDITIONAL USES	-----	300
0	1	CERTIFIED SURVEY MAP REVIEWS	-----	140
0	0	SUBDIVISION PLATTING REVIEW	-----	-----
0	0	MISCELLANEOUS REVENUE	-----	-----
0	0	(COPIES, POSTAGE, SALE OF MAPS, ETC.)	-----	-----
0	0	RESIDENTIAL BUILDINGS MOVED	-----	-----
0	0	NON-RESIDENTIAL BUILDINGS MOVED	-----	-----
0	0	CHANGE OF USE	-----	-----
0	0	RESIDENTIAL OCCUPANCY FEES	-----	-----
2	5	COMMERCIAL OCCUPANCY FEES	-----	250
0	0	PIER PERMIT	-----	-----
0	0	DEMOLITION	-----	-----
3	8	PLAN REVIEW FEE	1,700	3,950
		ADMIN FEE	388	1,090
TOTAL RECEIPTS DEPOSITED WITH CITY TREASURER			\$11,354.00	\$33,604.00

Cheryl Nault
Building Inspection Dept.



STURGEON BAY POLICE DEPARTMENT



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

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

From: Captain Daniel J. Brinkman

Subject: Monthly Report for April, 2019

Date: May 9, 2019

The following is a summary of the Police Department's activities for the month of April 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 35 crimes.

These crimes can be broken down and classified as follows.

Battery.....	01
Bail Jumping.....	01
Death Investigation.....	01
Disorderly Conduct.....	02
Possess Controlled Substance.....	03
Fraud / Forgery.....	05
Domestic Abuse.....	01
Theft.....	12
Criminal Damage to Property.....	01
ICAC.....	03
Sexual Assault.....	01
Violate Court Order.....	01
Threats to Injure.....	03
TOTAL 35	

The above crimes resulted in the loss of \$1,016 to the community, of which \$64 has been recovered.

Arrests

The Department completed a total of 90 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

TOTAL 00

B. Misdemeanor Crime Arrests

Disorderly Conduct.....	.03
Battery.....	.02
Bail Jump.....	.01
Intentionally Abuse Hazardous Substance.....	.01
Lewd / Lascivious Behavior.....	.01
Criminal Damage to Property.....	.01
Financial Transaction Card Crime.....	.02
Violate Court Order.....	.01

TOTAL 12

Wisconsin Probation & Parole Arrests / Warrant Arrests09

TOTAL 09

C. Ordinance Violation Arrests

Possess Marijuana.....	01
Misuse 911 System	01
Disorderly Conduct.....	01
Possess Drug Paraphernalia	01
Habitually Truant Student.....	01
Retail Theft	02

TOTAL 07

D. Traffic Crime Arrests

Operate Motor Vehicle while Revoked.....	05
No Valid Driver's License.....	01

TOTAL 06

E. Traffic Violation Arrests

Operate Motor Vehicle while Intoxicated.....	02
Speeding.....	25
Operate Motor Vehicle w/o Insurance.....	06
Operate Motor Vehicle while Suspended.....	05
No Valid License.....	05
Miscellaneous Violations.....	13

TOTAL 56

In addition to the preceding arrests, the Department conducted a total of 284 traffic stops during the month and logged 49 violations for various motor vehicle defects and local ordinances and issued 42 written warnings for those violations. A total of 13 parking ticket were issued for parking violations throughout the city.

Traffic Accidents

The Department during the month investigated a total of 08 vehicle accidents. These accidents are categorized into four types.

A.	Motor Vehicle Accidents Involving Fatalities.....	00
B.	Motor Vehicle Accidents Involving Injuries	00
C.	Motor Vehicle Accidents Involving Property Damage (greater than \$1,000.00)	08
D.	Motor Vehicle Accidents Involving Property Damage (less than \$1,000.00)	00
		TOTAL 08

Police Service Calls

Department members handled 335 service calls during the month. These calls consist of both citizen requests for police service as described below (283), crimes investigated (35), traffic accidents investigated (08), and Wisconsin Probation and Parole Assists (09).

A.	Traffic and Road Incidents	54
----	----------------------------------	----

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	04
----	------------------------	----

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	09
----	--------------	----

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	13
----	------------------------------------	----

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	03
----	---------------	----

Transporting citizens, money escorts for area financial institutions, funerals, and for area industry and farming.

H.	Citizen Assist.....	34
----	---------------------	----

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	09
Includes assistance to other law enforcement and government agencies.	
J. Suspicious Person / Vehicle / Circumstance.....	26
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	19
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	85
Includes arrest warrants served, recovered property calls, and all unfounded calls for police service. This category includes 9-1-1 calls investigated by Department members during the month.	
N. Welfare Checks	10
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 283

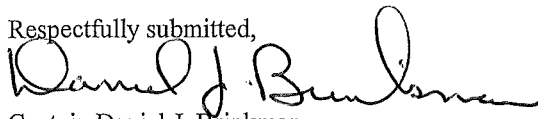
Department Training

The joint dive team and SWAT conducted their monthly training session. Two officers completed 40 hours of Honor Guard training and are now members of the department Honor Guard team. One officer completed 16 hours of training in School Threat Assessment and one officer completed a one day Leadership course.

Education

No department education opportunities this month.

Respectfully submitted,



Captain Daniel J. Brinkman

BEVERAGE OPERATOR LICENSE

1. **Baumann, Stephanie A.**
2. **Cruz, Leanne M.**
3. **Germann, Swanee M.**
4. **Gunnlaugsson, Lori A.**
5. **Johnson, Andrew L.**
6. **Leyendecker, Margaret H.**
7. **Seiler, Pamela J.**

SIX MONTH BEER LICENSE:

Scaturo's Baking Co, LLC

Agent; Robert Scaturo

214 Michigan Street

Sturgeon Bay, WI 54235

Date: June 1, 2019 – September 30, 2019

Location: 214 Michigan Street – Scat's Got Your Tongue

TEMPORARY CLASS B WINE & CLASS B BEER LICENSE:

Fall 50
1971 Prescott Place
DePere, WI 54115
Agent; Sean Ryan
Date: October 26, 2019
Location: Sunset Park – Fall 50 Door County

TEMPORARY CLASS B BEER LICENSE:

SPF Promotions
Side Pork Fest
2132 Taube Road
Sturgeon Bay, WI 54235
Agent: Nick Weldon
Date: June 1, 2019
Location: 207 South 3rd Avenue

TEMPORARY CLASS B WINE LICENSE:

Volunteer Center of Door County
62 South Third Avenue
Sturgeon Bay, WI 54235
Agent; Kay Smith
Dates: June 12, 2019 & August 7, 2019
Harmony by the Bay
Martin Park

**CITY OF STURGEON BAY
STREET CLOSURE APPLICATION**

Name of Applicant:

SPF Promotions

Name of Event:

Side Potk Fest

Contact Phone #:

920 495 1108

Date(s) of Event:

May 31 - June 2nd

Time:

9-7

Estimated # of Attendees:

1800

Specific Location:

207 S 3rd Ave Sturgeon Bay WI
54235

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

What arrangements are made for clean up?

We will clean up on Sunday

Other comments or explanation:

Signature of Responsible Party:



Address:

3560 Hwy 42 Sturgeon Bay WI 54235

Date Submitted:

5-10-19

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

Approval:

Fire Chief:



Date:

5/15/19

Police Chief:



Date:

05-15-19


Comm. Dev:



Date:

05-15-19

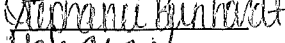
Streets/Parks:



Date:

5-15-19

City Clerk:



Date:

5-16-19

Finance Dir:



Date:

5/16/19

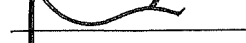
City Engineer:



Date:

5-16-19

City Admin:



Date:

5/12/19

Common Council Approval Date:

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

Will
Call

SIDEWALK CAFÉ PERMIT APPLICATION

Application for sidewalk café permit must include:

1. **Written request.**
2. **Scaled diagram** (scale 1":1') detailing the frontage of the applicants café or restaurant facing the sidewalk area requested for use as a sidewalk café. The plan shall indicate the location of doorways, width of sidewalk (distance from curb to building face), location of trees, tree wells, sidewalk benches, trash receptacles, utilities (including fire hydrants, light fixtures, etc.) newspaper racks, mailboxes, and any other semi-permanent sidewalk obstruction which may affect or be affected by the proposal. The drawing shall delineate the area requested for use as a sidewalk café, and indicate the total square footage of the affected road right of way and exact dimensions of the proposed outdoor area.
3. **Copy of current Certificate of Insurance with City named as additional insured.**
4. **Completed Hold Harmless Certificate.**
5. **Non-refundable application fee in the amount of \$55.00 per location if alcohol is not served.**
Non-refundable application fee in the amount of \$220.00 per location if alcohol is served.

Name of applicant: Paul Salm

Establishment Name: Door County Fire Company

Address: 38 S 3rd Ave

Phone/Email: (920) 818-0625 doorcountyfirecompany@yahoo.com

☒ Written Request Submitted

☒ Cert of Insurance (additional insured) submitted

☒ Scaled Diagram submitted

☒ Hold Harmless Certificate submitted

☒ Fee Paid \$220.00

Date Completed Application Submitted: 5-6-19

Community Development Approval: 5-13-19 [Signature]

Department of Public Works Approval: 5-14-19 [Signature]

Date of Common Council Approval: _____

☒ Copy of Sidewalk Café Policy/Procedures provided to applicant.

☒ Copy of Sidewalk Café Ordinance provided to applicant.

*See back for "Alcohol Being Served Application Submission Information."

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Community Protection and Services Committee, hereby recommend the Common Council to approve maintaining the current meeting time, place and day for Common Council meetings.

Respectfully submitted,
COMMUNITY PROTECTION AND SERVICES COMMITTEE
By: Dan Williams, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: May 13, 2019

* * * * *

Introduced by _____.

Moved by Alderperson _____, seconded by

Alderperson _____ that said recommendation be adopted.

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

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Community Protection and Services Committee, hereby recommend the Common Council approve the start of the process for amending the purchase or possession of tobacco products ordinance to include the purchase or possession of vaping/e-cigarette products.

Respectfully submitted,
COMMUNITY PROTECTION AND SERVICES COMMITTEE
By: Dan Williams, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: May 13, 2019

* * * * *

Introduced by _____.

Moved by Alderperson _____, seconded by

Alderperson _____ that said recommendation be adopted.

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

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Community Protection and Services Committee, hereby recommend the Common Council create an ordinance for pedal carts, with the understanding that final routes are established and approved by the Police Department.

Respectfully submitted,
COMMUNITY PROTECTION AND SERVICES COMMITTEE
By: Dan Williams, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: May 13, 2019

* * * * *

Introduced by _____.

Moved by Alderperson _____, seconded by

Alderperson _____ that said recommendation be adopted.

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

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Community Protection and Services Committee, hereby recommend the Common Council to approve the resolution in support of Door County Emergency Services, and forward it onto the County Board.

Respectfully submitted,
COMMUNITY PROTECTION AND SERVICES COMMITTEE
By: Dan Williams, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: May 13, 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
RESOLUTION IN SUPPORT MAINTAINING EMS AS A MUNICIPAL SERVICE.

WHEREAS, the City of Sturgeon Bay will benefit from a municipal based Emergency Medical Service that provides and maintains a superior quality program; and

WHEREAS, the community greatly benefits from an Emergency Medical Service with full operational and jurisdictional control over the service being public in nature; and

WHEREAS, public control of an Emergency Medical Service will ensure the level of service provided remains at the highest level to our residents and visitor; and

WHEREAS, a public Emergency Medical Service will positively affect the health, enhance the quality of life for our residents and guests, while assisting to maintain property values, and economic vitality in the City of Sturgeon Bay and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Sturgeon Bay, Wisconsin, declares that it supports maintaining Emergency Medical Services in Door County as a publicly supported, municipally operated service.

Adopted this ____ day of _____, 2019

Motion made by _____

Second by _____

Signed: _____
President/Chair

Attested to: _____
Clerk

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Community Protection and Services Committee, hereby recommend the Common Council to approve the policy for the preparation of agendas and meeting packets as is.

Respectfully submitted,
COMMUNITY PROTECTION AND SERVICES COMMITTEE
By: Dan Williams, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: May 13, 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

Policy for the Preparation of Agendas and Meeting Packet

The purpose of this policy is to ensure that Common Council and committee meeting agendas are produced in a timely and efficient manner so that members of the Common Council and professional staff have a clear process to follow for placing items on a Council or Committee agenda, and so that all are assured of a predictable and repeatable process for placement of items before the deliberative body.

There are three ways an item may appear on a council or committee agenda: by council via committee; by council directly to council; and by staff on a committee agenda. Following the detailed process below will help assure that business to be conducted by the Council or Committee is promptly placed on the appropriate agenda and has adequate supporting documentation.

By Council members:

1.) Through committee:

- Chairs of standing committees may add items to their committee agenda, provided sufficient notice is given to comply with Open Meetings requirements.
- Council members may request, during the "Items to be Added to Future Agendas (New Business)" section of a Council meeting, that an item be added to a committee's agenda.

NOTE: Council members wishing to place an item on a committee agenda must have completed the "Request ~~For~~ for Placement of Agenda Item" form at the time the request is made. A matter referred to committee only requires that one council member sponsor the request and must submit the form themselves.

2.) Directly to council:

- If a council member wishes to have the council discuss or consider a matter directly, without it going to committee first (either because of timing, uncertainty of appropriate committee, etc.), he or she must request that the City Administrator add the item to the agenda. If at least two council members make the request, the item will be added, provided the requests are made seven days prior to the meeting date (by 10:00 a.m. on the Wednesday preceding a council meeting).

NOTE: Council members wishing to place an item directly on a council agenda must have completed the "Request for Placement on Agenda Item" form prior to the time the request is made. An item to be placed on a Council agenda requires two members to sponsor the request.

By staff:

- City staff may agenda committee items pertinent to their job functions and City business without Council referral, subject to the consent of committee chairpersons. All agenda items referred by staff shall be accompanied with applicable background information. Items shall not be agendized without sufficient supporting documentation.
- Prior to finalizing an agenda, the agenda shall be reviewed with the both the City Administrator and Committee chairperson. Items lacking sufficient background information may be removed from the agenda.
- Committee recommendations shall not be submitted to the Common Council without accompanying meeting minutes. All committee minutes and recommendations shall be transcribed and submitted to the Common Council for consideration within 14 days of the date of the committee meeting. Committee recommendations shall be submitted to the City Clerk six days prior to the Council meeting (*Thursday before Council meeting by 10:00 a.m.*).
- Agendas shall be finalized and packets distributed a minimum of five days prior to the meeting date. Once finalized, an agenda may only be amended with the consent of the chairperson. Amendments should be made only as necessitated by timing or other emergency.
- These guidelines shall not preclude chairperson from calling special or emergency meetings in accordance with Wisconsin Statutes.

Adopted by the Common Council on 6/5/18.

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Community Protection and Services Committee, hereby recommend the Common Council to approve as amended the public comment policy for Common Council meetings.

Respectfully submitted,
COMMUNITY PROTECTION AND SERVICES COMMITTEE
By: Dan Williams, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: May 13, 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
GENERAL PROCEDURES FOR PUBLIC COMMENT AT COMMON COUNCIL MEETINGS

Anyone from the public/citizen of the City of Sturgeon Bay requesting to address the Council during the public comment portion of the meeting:

- Must fill out a "Request to Comment" form and turn it in to the City Clerk or Mayor PRIOR to the start of the meeting. Name and address must be filled in. Request to comment forms can be turned in from 8:00 AM to 6:50 PM the day of a Common Council meeting.
- Individuals will have a maximum of three (3) minutes to address the Council. A total of 30 minutes will be allotted to Public Comment per meeting, unless the Council body agrees to extend the time. The Extensions will be 15 minute additional increments.
- ~~Order preference for speaking will be given to City residents.~~ If total time remains, non-City residents that serve on ad-hoc committee's will be given the opportunity to speak.
- ~~If not all those who requested to speak were able to speak at the meeting due to the time limit, preference will be given to them at the subsequent meeting.~~
- The speaker shall not engage in personal attacks against the Mayor, Council members, City staff or its representatives and remain courteous and respectful. The Council/Committee requests that all comments and interactions between those present be conducted in a constructive and respectful manner. Anyone acting in a disruptive or disrespectful manner will be asked to leave the meeting by the person presiding at the meeting.
- The Mayor/Chair may ask questions of the speaker for clarification purposes.
- The Mayor/Chair may allow, at his discretion, Council/Committee members or staff to respond to the speaker's comment. However, dialogue will not ensue.
- The Mayor/Chair may refer the matter to a committee or to the City Administrator for further follow up as needed.

IF EVERYONE ABIDES BY THESE GUIDELINES, OUR MEETINGS WILL MOVE ALONG SMOOTHLY AND BUSINESS WILL BE CONDUCTED IN AN EFFICIENT AND TIMELY MANNER. YOUR COOPERATION WILL BE APPRECIATED BY ALL PRESENT AT THE MEETING.

PLEASE NOTE THAT LETTERS WILL NOT BE READ INTO THE RECORD AS PUBLIC COMMENT. ONLY LETTERS RECEIVED FOR A PUBLIC HEARING WILL BE READ INTO THE RECORD.

NOTE: IF TOPICS THAT WILL GENERATE SIGNIFICANT POTENTIAL FOR PUBLIC COMMENT APPEAR ON THE COUNCIL AGENDA, A PUBLIC HEARING WILL TAKE PLACE PRIOR TO COUNCIL MEETING

RESPECTFULLY,

MAYOR ~~THAD BIRMINGHAM~~ DAVID WARD

MAYORAL APPOINTMENTS

BOARD OF PARKS & RECREATION

Marilyn Kleist

CITY PLAN COMMISSION

Deborah Kiedrowski

Committee Member Application

Date: 5/7/19

Serving on a board, commission and committee can be a rewarding experience for community service-minded individuals. It is an excellent way to participate in the functioning of local government and to make a personal contribution to the improvement of our community.

Thank you for your interest in volunteering to serve on a board, commission or committee. Please complete the questions below as best you can to help us match you to a committee relating to your interest. Applications are kept on file for one calendar year.

1. Contact Information

Full Name: Marilyn Kleist
Address: 1821 Jefferson Drive
City, State, Zip: Sturgeon Bay, WI 54235
Email Address: gkleist@charter.net
Home Phone: 920-746-0826
Cell Phone:
Employer:
Occupation: Retired

2. Are you a resident of Sturgeon Bay?

Yes
No

3. Which committee are you interested in serving? (Circle as many as you wish.)

City Planning Commission	Utility Commission
Police & Fire Commission	Harbor Commission
Historic Preservation Commission	Zoning Board of Appeals
Local Arts Board	<u>Board of Parks and Recreation</u>
Board of Review	Bicycle & Pedestrian Advisory Board
Cable Advisory Council	Waterfront Redevelopment Authority
Aesthetic Design & Site Review Board	Loan Review Committee
Industrial Park Development Review Team	

4. If applying for the Board of Review, do you have an accounting background?

Yes

Explain:

No

5. If applying for the Planning Commission, are you a rent assistance program participant, realtor, land use lawyer or sociologist?

Yes

Explain:

No

6. If applying for the Parks and Recreation Committee, are you representing a community sport?

Yes

Explain:

No

7. Are you applying for re-appointment to a committee in which you already serve?

Yes

Park and Recreation Board

No

8. Are you an alternate applying for a voting member position?

Yes

No

9. Do you have any previous experience (including service on any city or county committee, or volunteer experiences) that would be relevant to the committee of your interest?

1

10. Do you have any special qualifications, technical training or professional training that would be relevant to the committee of your interest?

Worked for the City of Sturgeon Bay Parks Dept. as a secretary for 12 1/2 years before retiring December 2012.

Worked at Farm Market, rented out the Parks and boat slips.

11. Why do you wish to serve on a committee?

With my previous work experience working for the Parks Dept., I feel I can contribute to the Parks & Rec Board.

Worked on Outdoor Recreation Plan, previously.

12. You are welcome to attach additional information such as your resume or vitae that may further support your appointment. (Optional)

May 14, 2019

Deborah (Debbie) Kiedrowski bio:

My husband John and I moved to Sturgeon Bay in June 2006. We had just purchased CTI Hospitality, Inc. in Algoma, and moved to SB from Milwaukee. CTI Hospitality, Inc. manufactures high quality architectural/commercial casework and millwork for customers nationwide. My position is V.P., overseeing the financial and sales functions.

I have a BS in Biology from LeMoyne College – Syracuse, NY (where I lived until age 25). My husband and I meet at Miller Brewing Co., where we both worked, and Miller was responsible for moving us around the country – Syracuse, NY/Eden, NC/LA,CA/ Santo Domingo, Dominican Republic/Milwaukee, WI.

While living in Milwaukee, I discovered a passion for plants, landscape design and the environment thru MATC's horticulture degree program. After the program I worked for 5 years as a landscape designer for a prominent landscape design company in Milwaukee.

In Sturgeon Bay and Algoma I have been active in organizations that benefit the community and environment. I was a board member of Door County Silent Sports for 6 years, served as a Director on the Algoma Chamber of Commerce for 6 years. I have been involved with the Ahnapee Trail, currently serve on the Friends of Crescent Beach board and volunteer at Crossroads Ski for Free program.

I am an active bicyclist, cross country skier, runner and spend a significant amounts of time in/on the county's roads, parks and communities.

Sturgeon Bay and Door County are very special and my husband and I have truly enjoyed the lifestyle that is available. I look forward to the opportunity to be part of the planning for future developments/improvements that would positively impact the community.

Sincerely,

Debbie Kiedrowski

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 or the gain of affiliated organizations. 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 Comment 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 to the City Council. (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, or employed by 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 that fall outside of the Council appointments to various Boards and Commissions as part of their Council duties.* 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.

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 and 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 that may have, or appear to have the potential to influence or compromise professional judgment and objectivity of the official or employee.
- (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.
- (8) *Documentation of Membership:* An Alderperson who has been a voting member, officer, shareholder, etc. of an organization making formal presentations to the City Council should identify the affiliation prior to active participation in the discussion or casting votes.

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) *Closed Sessions:* Closed sessions are to be held in the strictest confidence. Failure to uphold the confidentiality of statements, actions, declarations, etc. to others outside of the closed session will be considered a violation of this Code of Ethics.
- (d) *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 within 60 days 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 must 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. Unless supervised by another individual within the department. The overseeing individual shall report directly to the Human Resources Director on matters involving the specified individual.
- (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 documented member of 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 documented member of 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 city resident 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 one hundred dollars (\$100). 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 (Thirty 30) days of the date of filing of the complaint with the clerk for the purpose of determining whether, when 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.

(4) *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 forty-five (45) 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.
- (5) *Council Action-*
- (a) Review of Ethics Board Report. Upon the receipt of the Ethics Board report the Council shall take up the report at its next available, regular Council meeting. 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.

(6) *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.

- (7) *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. Instances of possible perjury will be referred to the district attorney after consultation with the City Attorney. 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.

Memorandum

To: Mayor David Ward

Common Council

From: Josh Van Lieshout, City Administrator

Re: May 21, 2019 Common Council Agenda Item 10

Date: May 17, 2019

As this Common Council has been wrestling with the prior Council's decision to negotiate and stipulate to an OHWM at 92 East Maple Street, it has become apparent that the policy concerning how urban waterfronts interplay with political decisions and the law is subject to significant oscillation. There are other waterfront areas in the City that, at some point in the future, may need to be redeveloped and without clear laws or consistent policy, it could make recycling those lands in the future either unattractive or at worst impractical or impossible.

There are a number of public policy considerations that you may wish to raise with the Governor's Office and leadership at the Wisconsin Department of Natural Resources. Some of those policy considerations include:

- The authority of the DNR to engage in and act upon political compromises between parties. In the matter of the OHWM at 92 East Maple Street, the City, WRA and Friends of Sturgeon Bay were engaged in litigation. The result required a declaratory ruling from DNR. The DNR, for whatever reason, chose to ratify a political compromise, rather than exercise their duty and authority. The central question being, "Is it permissible for a state agency to exercise their legal authority in manner that serves as mediation between otherwise private parties?"
- Other policy considerations that are site specific, but could be anywhere in Wisconsin include how will the DNR deal with urban waterfronts like that of the City which have a long history of industrialization, development, environmental contamination, dereliction and the like.

The Council is aware the City has been working diligently on reinventing its waterfront for nearly 30 years. This reinvention has relied upon a predictable and repeatable position from regulatory agencies, including DNR, that saw redevelopment as a good thing and in keeping with the best interests of the public. However, as in the case of Sturgeon Bay, the DNR no longer seems to be willing to look at all the issues broadly and is willing to abdicate their decision making authority and convey that authority to private parties.

Points that the DNR should be encouraged to look at when examining urban waterfronts where the customary markers of the OHWM have long been washed away might include:

- Benefit to the human environment.
 - Will the redevelopment plan address groundwater and soils contamination?

- Does the plan limit human contact with contaminated ground water and soils?
- How will public access to the waterfront be enhanced?
 - Will access be improved with walks, docks, etc.?
- Will the improvements serve other segments of the public good?
 - Agriculture
 - Transportation
 - Manufacturing
 - Tourism
 - Education
 - Etc.?
- Does the determination in an urban waterfront support other public goals?
 - Other goals may include:
 - Removal of blight
 - Employment
 - Recreation
 - Tax base
 - Remediation of contaminated ground water and soils
 - Re-use of land
 - Efficiency in land use patterns
- Does the declaration prevent the economic feasibility of the opportunity to address other public interests?
 - Will the declaration make it unattractive for redevelopment?
 - Will the declaration harm ability to address soil and ground water concerns?
 - Will the declaration cause the owner to seek other uses that limit or prevent public access or do not address soil and groundwater concerns?
- Does the declaration protect, enhance, or indifferent to, the water resource that the public trust doctrine is designed to protect?
 - Will navigation be harmed or enhanced?
 - Will shoreline habitat be harmed or enhanced?
 - Will fisheries be harmed or enhanced?

Whether raising these issues with Governor Evers, Secretary Cole, or the Legislature will have an impact on matters pertaining to 92 East Maple Street is unknown; however, given the redevelopment patterns in the City of Sturgeon Bay, the issues created by DNR in their dealing with the West Waterfront will undoubtedly come again. The playbook has been written for all to see; there is no reason to believe that DNR wouldn't transfer their decision making responsibilities in the future.

If you as the Council are so inclined, you may wish to send a letter to the Governor's office and Secretary informing them of these policy concerns and request they reconsider their January 2, 2019 declaratory ruling and look again at the issue from a matter of good public policy versus convenience of trying to satisfy litigants.

REQUEST FOR PLACEMENT OF AGENDA ITEM

DATE OF REQUEST: May 15, 2019

FROM: Kelly Avenson & David Hayes

Please place the following item on the Common Council agenda:

Consideration of:

Requesting an Ordinary High Watermark (OHWM) on all city and WRA owned property in TIDs 2 and 4. (EXCLUDING LOTS 92 & 100)

Background Information:

We have learned in the past 6 months via Mr. German (Deputy Secretary at Board of Commissioners of Public Lands) and Mr. Rosenberger and Mr. Kowolkolski of the WDNR that having an OHWM is a key step in securing and protecting developments/projects on our publicly owned waterfront. We also have learned that lakebed leases with WDNR are also a key step in the process for protecting developments/projects that may be under the OHWM. More importantly it will help protect the City from unnecessary litigation in the future.

Example of one issue at hand:

The City quit claimed the property surrounding the Door County Maritime Museum (DCMM) to them in roughly 2012. We also know that a quit claim doesn't mean the DCMM are in fact the riparian owners. The riparian owners are the land owners landward of the OHWM. The issue here is that there is no OHWM on the WRA owned property (the parking lot) or the property that was quit claimed to the DCMM in 2012. We cannot give/sell what we do not own though I know the City and the DCMM have both been in agreement as to acting as if the DCMM "owns" that property.

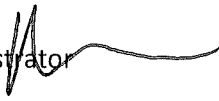
Desired Action:

For the City to request an OHWM determination for any and all waterfront land owned by City/WRA in TID 2 and 4.

Memorandum

To: Mayor David Ward

Common Council

From: Josh Van Lieshout, City Administrator 

Re: May 21, 2019 Common Council Agenda Item 12

Date: May 17, 2019

I have been asked to provide an update on the status of the implementation of the Development Agreement between the City of Sturgeon Bay and the Sturgeon Bay Historical Society Foundation, Inc.

For the City the following has been completed:

- Review and "mapping" of the agreement to identify City obligations and developer obligations and due dates
- Per the terms of the development agreement, informed SBHSF that the City will not be relocating the fill on 92 E. Maple Street. The Developer will be responsible for this task.
- Had one telephone conversation with Mary Beth Peranteau (SBHSF Attorney), City Attorney Jim Kalny, CDD Marty Olejniczak, Mayor Ward and myself. Verbally, DNR is willing to go forward with submerged lands lease despite the OHWM challenge. Verbally DNR does not need to approve temporary placement of the grain elevator below the OHWM, this is useful as it eliminates conflict with the ATC project.

Other notes:

- Inquiry from Joe Moede about timeline from SBHSF for moving the grain elevator following indication from SBHSF that the move would happen on or before Memorial Day.
- Inquiry from Mike Till, asking about permits needed to move the grain elevator

There are a number of deliverables from SBHSF before the grain elevator is to be moved onto the temporary staging site as of this writing none have been received. Those deliverables include: written acknowledgement from DNR regarding working on the site, various certificates of insurance, performance and payment bonds, site plan, demonstration of structural stability on the temporary site, soil suitability for temporary staging, executed ground lease for the temporary location, DCCF Certificate, and permits for moving the structure.