

## COMMON COUNCIL

January 15, 2019

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

Ward/Hauser to adopt the agenda. Carried.

The following people spoke during public comment: Jim Schuessler, 500 N. 9<sup>th</sup> Ct; Mark Schuster, 1247 N. 8<sup>th</sup> Ave; David Schanock, 520 E. Vine Ct; Tom Wulf, 1127 Cove Rd; Erich Pfeifer, 605 E. Walnut Dr; Kevin Osgood, 120 N. Madison Ave; Anni Lampert, 33 N. Joliet Ave; Shawn Fairchild, 311 Pennsylvania St; Robert Loss, 607 E. Walnut Dr; Donald Freix, 8305 Quarterline Rd, Fish Creek.

Ward/Allmann to approve the following bills - General Fund - \$97,008.07, Capital Fund - \$405,758.22, Cable TV - \$62.71, TID #4 - \$3,220.00 for a grand total of \$506,049.00. Roll call: All voted aye. Carried.

Ward/Hauser to approve consent agenda:

- a. Approval of 1/2/19 regular Common Council minutes.
- b. Approval of the following minutes:
  - (1) Personnel Committee . 12/17/18
  - (2) Finance/Purchasing & Building Committee . 1/2/19
  - (3) Police & Fire Commission . 1/3/19
  - (4) Ad Hoc West Waterfront Planning Committee . 1/3/19
  - (5) Personnel Committee . 1/7/19
- c. Consideration of: Approval of beverage operator licenses.
- d. Finance/Purchasing & Building Committee recommendation re: Approve the purchase of two 2019 Ford Explorer Interceptor squads from Jim Olson Ford, Lincoln in the amount of \$64,840.00 plus DMV fees.

Carried.

There were no mayoral appointments.

Allmann/Catarozoli to read in title only and adopt the second reading of the ordinance to repeal and recreate Section 28.04(2) of the Municipal Code . Historic Preservation Commission. Carried.

Catarozoli/Allmann to adopt the resolution combining polling places for reporting unites for Southern Door School Board primary on February 19, 2019. Carried.

### RECOMMENDATION

We, the Personnel Committee, hereby recommend to hire Davis Kuelthau as the City Attorney.

#### PERSONNEL COMMITTEE

By: David Ward, Chr.

Ward/Hauser to adopt. The history of the vacant City Attorney role was summarized and the process to hire a City Attorney was presented. Carried.

Wiederanders/Catarozoli to approve the Type C Notice for April 2, 2019 cannabis referendum questions. Carried with Ward and Allmann voting no.

Catarozoli/Avenson to table the item consideration of an advisory referendum asking the public if the City should accept a donation of the former Teweles & Brandeis Grain Elevator from the

Sturgeon Bay Historical Society and if the former Teweles and Brandeis Grain Elevator should be placed on the original location on the West Waterfront. Carried with Ward voting no.

There was no action on the item consideration of approval of Type C Notice for April 2, 2019 grain elevator referendum question since the previous item was tabled.

Hauser/Catarozoli to adopt the amended resolution to Accept Donation of the Teweles & Brandeis Grain Elevator with Endowment as presented. A lengthy discussion took place regarding the role in the Ad Hoc West Waterfront Committee and their involvement in the decision making process, the eviction notice the Sturgeon Bay Historical Society received regarding the current location of the granary, that typically an Agreement such as the one proposed would go to the Finance Committee for review, the public opinion on the granary, that that gift has contingencies attached, the lack of determined use of the building, that the endowment may not be enough to maintain the building, the donation of \$1.2 million for the granary, whether the City should own the granary, the end use of the building, Wiederanders to amend the motion to change the title to allow the return of the Teweles and Brandeis Grain Elevator to its original location+rather than accepting the donation. Motion died due to lack of a second. Further discussion took place on whether or not the City should accept the donation and own the granary. It was noted that the said agreement shall be presented to the Council for approval at its February 5, 2019 meeting. It was also noted that an agreement of this type and magnitude usually takes many months to formulate. Roll call vote taken on the motion. Catarozoli, Avenson, Allmann, and Hauser voted aye. Ward and Wiederanders voted no. Carried.

There were no items to appear on future agendas.

The City Administrator gave his report.

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

The Mayor made his comments.

After Mayor Birmingham announced the statutory basis, Ward/Avenson 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: Settlement agreement with friends of Sturgeon Bay Public Waterfront, Shawn m. Fairchild, Carri Andersson, Linda Cockburn, Russ Cockburn, Kathleen Finnerty and Christy Weber vs City of Sturgeon Bay and Waterfront Redevelopment Authority of the City of Sturgeon Bay All voted aye. Carried.

The meeting moved to closed session at 8:48 pm and adjourned at 9:04 pm.

Respectfully submitted,

Stephanie L. Reinhardt  
City Clerk/HR Director