

COMMON COUNCIL  
July 16, 2019

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

Nault/Williams to adopt agenda moving Item 18 to right after the Consent Agenda and moving Items 7j and 7m to the regular agenda. Carried.

The following people spoke during public comment: Scott Moore, 947 Pennsylvania St; Trudy Herbst, 228 W. Pine St; Kelly Catarozoli, 344 N. 3<sup>rd</sup> Ave; Claire Morkin, 110 N. Joliet Ave; Pam Seiler, 36 S. Third Ave; Chris Kellems, 120 Alabama St; Bonnie Ripp, 5081 County P; Annie Lampert, 33 N. Joliet Ave; Beth Renstrom, 34 Bluebird Dr; and Hans Christian, 330 N. 3<sup>rd</sup> Ave.

Bacon/Reeths to approve the following bills - General Fund - \$144,921.12, Capital Fund - \$4,511.74, Cable TV - \$425.85, TID #4 - \$895.00, and Solid Waste Enterprise Fund - \$3,460.92 for a grand total of \$154,214.63. Roll call: All voted aye. Carried.

Bacon/Williams to approve consent agenda:

- a. Approval of 7/2/19 regular Common Council minutes.
- b. Approval of following minutes:
  1. Joint Review Board . 6/25/19
  2. Finance/Purchasing & Building Committee . 6/25/19
  3. Joint Parks & Recreation Committee/Board . 6/26/19
  4. Historic Preservation Commission . 6/28/19
  5. Community Protection & Services Committee . 7/8/19
- c. Place the following reports on file:
  1. Inspection Department Report . June 2019
  2. Police Department Report . June 2019
- d. Consideration of: Approval of beverage operator licenses.
- e. Consideration of: Approval of Temporary Class B Beer licenses and Temporary Class B Wine licenses.
- f. Consideration of: Approval of Sidewalk Café Permit for Stone Harbor Resort.
- g. Consideration of: Approval of exception to noise ordinance for Door County Fair.
- h. Community Protection & Services Committee recommendation re: Approval of Combination Class B Beer and Liquor license for The Nautical Inn of Sturgeon Bay.
- i. Community Protection & Services Committee recommendation re: Approve the Mann Communication contract for two years.
- j. ~~Community Protection & Services Committee recommendation re: Approve the creation of Chapter 37 of the Municipal Code, Commercial Quadricycle Licensing.~~ Moved to regular agenda.
- k. Community Protection & Services Committee recommendation re: Approve the amendment to Section 10.175 of the Municipal Code, Drinking on Public Property Regulated.
- l. Community Protection & Services Committee recommendation re: Approve the amendment to Section 10.19 of the Municipal Code, Noxious Weeds Prohibited.
- m. ~~Community Protection & Services Committee recommendation re: Approve the amendment to Chapter 25.04 of the Municipal Code, Penalties for Possession of Marijuana.~~ Moved to regular agenda.
- n. Community Protection & Services Committee recommendation re: Approve the General Procedures for Public Comment at Common Council meetings with additions.
- o. Finance/Purchasing & Building Committee recommendation re: Approve two year lease with Richard Stoll for the Sturgeon Bay Yacht Club ~~5~~+Dock beginning July 15, 2019 until July 15, 2021 in the amount of \$2,000.

Carried.

The Ad Hoc West Waterfront Planning Committee presented their Plan and Recommendations regarding the West Waterfront to the Common Council. After a brief introduction by Co-Chair Hauser, Committee members reviewed the key components of the Plan and Recommendations. Community Development Director Olejniczak outlined the future process of the plan and the Council members asked questions and made comments on the Plan. No formal action was taken.

Bacon/Nault to approve the following mayoral appointment:

**Ethics Board**

Dan Powers

Carried.

RECOMMENDATION

We, the Finance/Purchasing & Building Committee, hereby recommend to accept the WIPFLi CPA's and Consultants 2018 financial audit report for the City of Sturgeon Bay and place it on file.

FINANCE/PURCHASING & BUILDING COMMITTEE

By: Helen Bacon, Chr.

Finance Director Clarizio and Brian Anderson from WIPFLi presented the audit report to the Council. Williams/Avenson to adopt. Carried.

RECOMMENDATION

We, the Finance/Purchasing & Building Committee, hereby recommend that the City issue \$2,345,000 in general obligation promissory notes for the purpose of funding capital projects and purchases including storm sewer outlay, improvements to public buildings, facilities, properties and the acquisition of vehicles and equipment.

FINANCE/PURCHASING & BUILDING COMMITTEE

By: Helen Bacon, Chr.

Brad Viegut, Baird, presented the borrowing details to the Common Council. Bacon/Reeths to adopt. Carried.

Williams/Bacon to adopt the resolution providing for Sale of Approximately \$2,345,000 General Obligation Promissory Notes. Carried.

RECOMMENDATION

We, the Community Protection & Services Committee, hereby recommend to approve Chapter 37 of the Sturgeon Bay Code of Ordinances, Commercial Quadricycle Licensing, as created.

COMMUNITY PROTECTION & SERVICES COMMITTEE

By: Dan Williams, Chr.

Avenson/Wiederanders to adopt. Discussion took place regarding the horse carriage that used to operate in the City, the proposed routes, and safety factors such as seatbelts and slow moving vehicle signs on the pedal cart. Hayes/Williams to amend the motion to add to the ordinance that seatbelts must be worn by passengers. Vote taken on the amendment. Carried. Nault/Hayes to amend the amended motion that a slow moving vehicle sign must be on the quadricycle. Vote taken on the second amendment. Carried. Vote taken on the original motion as amended. Carried.

Avenson/Wiederanders to adopt the first reading of the ordinance creating Chapter 37 of the Municipal Code, Commercial Quadricycle Licensing, adding in the amendment to include seatbelts and slow moving vehicle signage. Carried.

Avenson/Nault to approve the preliminary resolution and engineering report for Declaring Intent to Levy Special Assessments for Sidewalk Installation on North 7<sup>th</sup> Avenue. It was noted that the proposed special assessment would total \$2,975.00. Carried.

Avenson/Hayes to adopt the first reading of the ordinance amending Section 10.175 of the Municipal Code . Drinking on public property regulated. Carried.

Reeths/Avenson to adopt first reading of ordinance amending Section 10.19 of the Municipal Code . Noxious weeds. Carried.

Mayor Ward relinquished the Chair to Council President Williams.

#### RECOMMENDATION

We, the Community Protection & Services Committee, hereby recommend to approve the amendment to Chapter 25.04 of the Sturgeon Bay Code of Ordinances, Penalties for Possession of Marijuana.

#### COMMUNITY PROTECTION & SERVICES COMMITTEE

By: Dan Williams, Chr.

Hayes/Wiederanders to adopt. Discussion took place regarding recreational verses medical marijuana, the current fines, fines as they relate to court courts, citations related to marijuana in the City and the definition of abode. Further discussion took place regarding enforcement of ordinances, having the City Attorney look in to the changes to the ordinance and whether to wait for the State to make decision regarding marijuana.

Roll call: Bacon, Williams, Nault and Reeths voted no. Hayes, Avenson, and Wiederanders voted aye. Motion failed.

Mayor Ward resumed the Chair.

The Council took a 5 minute recess at 9:40 pm and reconvened at 9:45 pm.

Avenson/Wiederanders to refer the first reading of the ordinance re: Section 25.04 of the Municipal Code . Penalties for Possession of Marijuana to Community Protection & Services Committee. Carried.

Avenson/Williams to stripe two courts at Sunset Park for pickleball and recommend the City develop a budget for pickleball courts in 2020. Discussion took place regarding the original recommendation from the Joint Parks & Recreation Committee/Board, tennis courts at Otumba Park and tennis courts at Sunset Park. Carried.

Nault/Bacon to remove from the table consideration of: Development Agreement with Sturgeon Bay Historical Society. Carried with Avenson voting no.

Nault/Reeths to continue to have the Development Agreement with Sturgeon Bay Historical Society as ~~no~~ consideration of+on every future council agenda. Discussion took place regarding whether an attorney should be present at all meetings if this was placed on the agenda as ~~no~~ consideration of.+Avenson/Hayes to amend the motion to change the word ~~no~~ consideration+to ~~no~~ discussion.+Vote taken on the amendment. Carried. Vote taken on the original motion as amended. Carried with Avenson voting no.

Nault proceeded to request that agenda items related to the Development Agreement with Sturgeon Bay Historical Society appear on the next Council agenda. They include: Consideration of: Liquidated Damages Clause in Development Agreement with Sturgeon Bay Historical Society; Consideration of:

Committee formed by the Mayor to meet with the Financial Donor of the Granary; and Consideration of: Remove the obligation of the City to accept the gift of the donation of the granary from SBHS.

The following items were requested for future agendas: (Hayes) Parks & Recreation Committee . Development of Indoor ice hockey; (Hayes) CPS . Review of Noise Ordinance and exemptions; (Mayor) CPS . Consideration of: Alternate members to Ethics Committee; (Nault) CPS . Methods of communicating with residents regarding ordinance violations. (Reeths) CC . Discussion on storm sewer infrastructure in relation to heavy rainfalls.

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

The City Administrator gave his report.

There was no mayoral report.

Nault/Reeths to adjourn. Carried. The meeting adjourned at 10:24 p.m.

Respectfully submitted,

Stephanie L. Reinhardt  
City Clerk/HR Director