

COMMON COUNCIL  
June 4, 2019

A meeting of the Common Council was called to order at 7:01 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. Carried.

The Mayor presented a proclamation to Open Door Pride.

The following people spoke during public comment: Cathy Grier, 153 S. 3<sup>rd</sup> Ave; Chris Kellems, 120 Alabama St; Scott Moore, 947 Pennsylvania St.

Bacon/Williams to approve the following bills - General Fund - \$94,463.25, Capital Fund - \$63,270.43, Cable TV - \$7,362.67, TID #4 - \$4,816.92, and Solid Waste Enterprise Fund - \$3,226.33 for a grand total of \$173,139.60. Roll call: All voted aye. Carried.

Wiederanders/Avenson to approve consent agenda:

- a. Approval of 5/21/19 regular Common Council minutes.
- b. Approval of the following minutes:
  - (1) Aesthetic Design & Site Plan Review Board . 5/13/19
  - (2) Finance/Purchasing & Building Committee . 5/14/19
  - (3) City Plan Commission . 5/15/19
  - (4) Joint Park & Recreation Committee/Board . 5/22/19
- c. Place the following reports on file:
  - (1) Fire Department Report . April 2019
  - (2) Bank Reconciliation . April 2019
  - (3) Revenue & Expense Report . April 2019
- d. Consideration of: Approval of beverage operator licenses.
- e. Consideration of: Approval of Temporary Beer Class B Beer and Temporary Class B Wine licenses.
- f. Consideration of: Approval of %Class B+ Combination licenses, %Class B+ Liquor License(Wine Only), Class %B+ Beer licenses, %Class A+Combination licenses, Class %A+ Beer licenses, Class %A+Liquor licenses, and %Class C+Wine licenses, and for 2019-2020 license year.
- g. Consideration of: Approval of Street Closure Application for Door County Triathlon.
- h. Consideration of: Approval of Street Closure Application for Nicolet National Bank.
- i. Consideration of: Approval of Sidewalk Café Permit for Brick Lot.
- j. Consideration of: Approval of Sidewalk Café Permit for Crate.
- k. Consideration of: Approval of Sidewalk Café Permit for Nutmeg Spice.
- l. Joint Park & Recreation Committee/Board recommendation re: Allow Jø Bait & Box to install one bait and one ice machine at Sawyer Park.

Carried.

Reeths/Nault to approve the following mayoral appointments:

**Aesthetic Design & Site Plan Review Board**

Cheryl Frank

**Board of Parks & Recreation**

George Husby

**Local Arts Board**

Margaret Lockwood

Carried.

After the City Administrator presented the bids for contract 1903 . 2019 Street Micro Surfacing Program, Williams/Nault to award the contract for Project 1903 . 2019 Street Micro Surfacing Program to Struck and Irwin Paving Inc. with unit pricing amounts totaling an estimated cost of \$75,393.20. Carried.

#### RECOMMENDATION

We, the Finance/Purchasing & Building Committee, hereby recommend to purchase a new 2019 John Deere 2090M with rear and side Tiger flail mowers from EIS Implement in an amount not to exceed \$43,231, including the trade in of a 1995 Ford 6640 and 2000 New Holland TL-90.

FINANCE/PURCHASING & BUILDING COMMITTEE

By: Helen Bacon, Chr.

Nault/Bacon to approve. Carried.

The following items were requested for future agendas: (Avenson) CPS . Notification of surrounding property owners of agenda items; (Avenson) CPS . Public restrooms on Third Avenue Corridor; (Avenson) CPS . Café Permit for music venues on public sidewalks; (Williams) Harbor Commission . No wake zone; (Hayes) Common Council . Discuss creation and extent of agenda packets.

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

The City Administrator gave his report.

The Mayor made his comments.

Discussion took place regarding the SBHSF Amendment Request to the Development Agreement. The request for an amendment from moving the staging site of the granary from Lot 100 to 92 was discussed in addition to the current granary site, the lakebed lease with DNR and other State offices, and the staging area+ site. Avenson/Hayes to direct City Attorney Kalny to make the necessary changes requested by SBHSF to move the staging site from Lot 100 to 92. Discussion took place regarding other items in the Agreement that are not complete, whether the proposed changes could be presented to the Council at this time, and whether this was a simple or more complex request. Reeths/Nault to table to next Council meeting. Roll call: Bacon, Williams, Nault, Wiederanders, and Reeths voted aye. Hayes and Avenson voted no. Carried.

After Mayor Ward announced the statutory basis, Bacon/Williams 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) 1. Consideration of: Consideration of: Filing an amicus brief in regard to John Wiese, Tom Wulf, Fran Shefchik, Mark Holdridge, Mike Lagenhorst, et. al. vs. Wisconsin Department of Natural Resources, 2. Consideration of: SBHSF Amendment Request to the Development Agreement. Roll call: Bacon, Williams, Nault, Wiederanders, and Reeths voted aye. Hayes and Avenson voted no. Carried. The Council went into closed session at 8:10 p.m. and reconvened in open session at 9:01 p.m.

Avenson/Hayes to table the item Consideration of: Filing an amicus brief in regard to John Wiese, Tom Wulf, Fran Shefchik, Mark Holdridge, Mike Lagenhorst, et. al. vs. Wisconsin Department of Natural Resources. Motion failed. Bacon/Reeths to instruct City Attorney Kalny to take necessary steps to prepare an amicus brief in regard to John Wiese, Tom Wulf, Fran Shefchik, Mark Holdridge, Mike Lagenhorst, et. al. vs. Wisconsin Department of Natural Resources. Carried with Avenson voting no. It was noted that the brief should be shared with the Council prior to mailing.

Nault/Williams to adjourn. Carried. The meeting adjourned at 9:05 p.m.

Respectfully submitted,

Stephanie L. Reinhardt  
City Clerk/HR Director