

COMMON COUNCIL
November 5, 2019

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

Avenson/Williams to adopt agenda moving item 8g off of the consent agenda. Carried.

The following people spoke during public comment: Beth Renstrom, 34 Bluebird Drive; Bryan Wodack, 5907 Cedar Creek Place; Carl Bridenhagen, 1028 West Maple St; Shawn Fairchild, 311 Pennsylvania; Andy Hanks, 616 S. Neenah Ave; Scott Moore, 947 Pennsylvania; Laurel Hauser, 746 Kentucky St; John Hauser, 746 Kentucky St; Jim Schuessler, 500 N 9th Ct.

Pam Seiler, Executive Director of the Sturgeon Bay Visitor Center, and Mike Haug, Avia Design Group, presented the Way Finding Signage objectives. The presentation included establishing the objective of showcasing Sturgeon Bay as a vital part of Door County, attracting more visitors, the program goals, reviewed gateways, vehicular guides, pedestrian guides, identified signage, and reviewed next steps for wayfinding signage process. Council members had their questions answered.

Williams/Wiederanders to approve following bills: General Fund - \$130,529.10, Capital Fund - \$72,830.87, Cable TV - \$5,101.67, TID #2 - \$1,900.00, TID #4 - \$7,566.05 and Solid Waste Enterprise Fund - \$18,411.39 for a grand total of \$236,339.08. Roll call: All voted aye. Carried.

RECOMMENDATION

We, the Joint Park & Recreation Committee/Board, hereby recommend the concept plan from SBVC and Sterling Landscaping, and to approve the process to go ahead and make improvements to Graham Park.

PARK & RECREATION COMMITTEE/BOARD
By: David Hayes, Chr.

Hayes/Reeths to adopt. Pam Seiler, Executive Director of SBVC, summarized the plans and donations for the project. Carried.

Nault/Williams to approve consent agenda:

- a. Approval of 10/14/19 special and 10/15/19 regular Common Council minutes.
- b. Approval of the following minutes:
 - (1) Finance/Purchasing & Building Committee . 10/8/19
 - (2) Community Protection & Services Committee . 10/9/19
 - (3) Cable Communication System Advisory Council . 10/9/19
 - (4) City Plan Commission . 10/16/19
 - (5) Personnel Committee . 10/22/19
 - (6) Industrial Park Development Review Team . 10/22/19
 - (7) Joint Park & Recreation Committee/Board . 10/23/19
- c. Place the following reports on file:
 - (1) Fire Department Report . September 2019
 - (2) Bank Reconciliation . September 2019
 - (3) Revenue & Expense Report . September 2019
- d. Consideration of: Approval of Beverage Operator licenses.
- e. Finance/Purchasing & Building Committee recommendation re: Award contract to Sounder Farmer Production, in the amount of \$29,000 to manage the 2020 Harmony by the Bay Summer Concert series.
- f. Community Protection & Services Committee recommendation re: Approve the amendment to National Fire Protection Association (NFPA) ordinance 6.15 where the first

line reads National Fire Protection Association Code 1 is hereby adopted in its entirety and incorporated into this chapter by reference, including all amendments thereto.

- g. ~~Joint Park & Recreation Committee/Board recommendation re: Concept plan for SBVG and Sterling Landscape, and to approve the process to go ahead and make improvements to Graham Park. Moved to regular agenda.~~

Carried.

There were no mayoral appointments.

A public hearing re: Zoning text amendment to Section 20.31(4)(b) of the Municipal Code was opened at 8:20 pm and declared closed at 8:21 p.m. No one spoke during the public hearing.

RECOMMENDATION

We, the City Plan Commission, hereby recommend to repeal and recreate section 20.31(4)(b) of the Municipal Code (Zoning Code) regarding surfacing of parking lots and access driveways as follows:

- (4) *Design.* All parking spaces and access driveways shall meet the following requirements:

(b) *Surfacing.*

1. ~~Except for parking spaces and access driveways which serve single-family or two-family dwellings~~ Unless exempted, all parking spaces and access driveways shall be paved or otherwise surfaced with an all-weather surface within 12 months after occupancy. ~~Any heavy equipment vehicular storage areas (such as those associated with truck terminals and contractor's garages) which are not open to the general public need not be paved, although said areas must be maintained in a durable and dustless condition. Any access driveway from a public street to such storage areas shall be paved with asphaltic, bituminous, or concrete surfacing.~~ Acceptable surfacing materials shall include asphalt, concrete, brick, pavers or other permeable pavement approved by the City Engineer. The surface shall be capable of carrying a wheel load of 4,000 pounds.
2. The following shall be exempt from the surfacing requirement:
 - a. Parking spaces and access driveways which serve single-family or two-family dwellings.
 - b. Any heavy equipment vehicular storage areas (such as those associated with truck terminals and contractor's garages) which are not open to the general public need not be paved, although said areas must be maintained in a durable and dustless condition. Any access driveway from a public street to such storage areas shall be paved with asphaltic, bituminous, or concrete surfacing.
 - c. Parking lots and access driveways serving seasonal uses which operate no more than 180 consecutive days out of a calendar year shall be allowed to surface the parking area with compact stone or gravel. The site must be maintained in a durable and dustless condition. Access driveways shall extend a concrete apron five feet past any sidewalk or curbing improvements.

CITY PLAN COMMISSION
By: Mayor David Ward, Chr.

Avenson/Hayes to adopt. Carried.

RECOMMENDATION

We, the Joint Park & Recreation Committee/Board, hereby recommend to identify Cherry Blossom Park as a dog free park.

PARK & RECREATION COMMITTEE/BOARD

By: David Hayes, Chr.

Hayes/Nault to adopt. Avenson/Reeths to amend the motion to add ~~%~~or a two year period.+Vote taken on the amendment. Carried. Vote taken on the original motion as amended. Carried.

RECOMMENDATION

We, the City Plan Commission, hereby recommend to approve the combined preliminary/final Planned Unit Development (PUD) for 40 housing units, including converting the former West Side School, located at 17 W. Pine Street and a new addition extending into the West Side Field property at 37 W. Redwood Street with the following conditions:

1. The underlying zoning district shall be R-4 (Multiple-Family Residential).
2. Installation of a water lateral stub running south from Redwood Street along the west edge of the property and creation of a 15-ft utility easement.
3. Installation of a sanitary lateral stub running south from the end of the main at the southeast corner of the site and creation of a 15-ft utility easement.
4. Relocation of the proposed fire hydrant out of the parking island and into the end of the W. Redwood Street right-of-way.
5. Provide easements for any portion of public water main or sanitary sewer main located outside of the public right-of-way.
6. Compliance with the street tree requirements of s. 8.07(10) of the municipal code, but the location of required street trees may be located outside of the street right-of-way, if approved by the City Forester.
7. Adjust the location of the monument sign to comply with the vision clearance requirements of the sign code.
8. Final approval by the Aesthetic Design and Site Plan Review Board.
9. Final approval of the stormwater management plan by the City Engineer.
10. A development agreement be entered into between the City and developer that addresses the sale of the property/softball field, utilities/easement issues, maintenance of the driveway within Redwood Street, maintenance of the retaining wall along Madison Ave, and other matters pertinent to the development project.

CITY PLAN COMMISSION

By: David Ward, Chr.

Hayes/Wiederanders to adopt. Discussion took place regarding affordable housing, the process of a development agreement, that PUD approval is a zoning approval only at this time, that the conditions are a part of the recommendation, number of apartments, the value of the ballfield, the replacement of the ballfield, and that the PUD zoning is specific to the developer with a two year time frame. Roll call vote: Hayes, Williams, and Wiederanders voted aye. Avenson, Nault, and Reeths voted no. Tie vote. Mayor voted aye. Carried.

Hayes/Wiederanders to read in title only the first reading of the ordinance re: rezone from Single Family Residential (R-2) to Planned Unit Development (PUD) for property known as West Side School/West Side Field Roll call vote: Hayes, Williams, and Wiederanders voted aye. Avenson, Nault, and Reeths voted no. Tie vote. Mayor voted aye. Carried.

Hayes and Avenson presented a request to submit a letter to Judge Huber requesting lifting the injunction placed on lots 92 and 100 during the Friends of Sturgeon Bay Public waterfront vs. the

City of Sturgeon Bay court case. Avenson/Hayes to submit a letter to Judge Huber requesting that he lift the injunction place on 92/100 Maple Street. City Attorney Kalny reviewed the history of the lawsuits surrounding Lots 92 and 100. He noted that this action should be accomplished by motion rather than by letter. Avenson and Hayes withdrew their motion. Avenson/Hayes to direct the City Attorney to take all necessary actions to file motion to amend/modify the judgement/injunction against Lot 92. Carried.

The following items were requested for future agendas: (Reeths) . Park & Recreation . Cherry Blossom Park special needs/handicap accessible park; (Avenson) Common Council . Disbanding the West Waterfront Ad Hoc Committee; (Williams) . Common Council . School Safety presentation; (Hayes) . Common Council . Consideration of: Adopt resolution to participate in Green Tier Legacy program.

City Plan Commission Chair Ward and Park & Recreation Committee Chair Hayes presented reports for their respective committees/commissions.

The City Administrator gave his report.

The Mayor gave his report.

After Mayor Ward announced the statutory basis, Bacon/Nault to convene in closed session in accordance with the following exemptions: 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: Settlement agreement with Wal-Mart Business Trust. Avenson/Williams to convene in closed session. Carried. The Council moved to closed session at 9:15 p.m. and the meeting adjourned at 9:49 p.m.

Respectfully submitted,

Stephanie L. Reinhardt
City Clerk/HR Director