

COMMON COUNCIL
November 3, 2020

A regular 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, Statz, Williams, Gustafson, Nault, Wiederanders and Reeths were present.

Williams/Bacon to adopt the agenda, removing Item number 17, City Plan Commission recommendation re: Accept the development proposal from Northpointe Development Corporation for the West Waterfront redevelopment, and negotiate with Northpointe to finetune the proposal, including increasing the number of units. Carried.

The following people spoke during public comment: Hans Christian, 330 N 3rd Avenue

Bacon/Wiederanders to approve the following bills: General Fund - \$77,603.58, Capital Fund - \$2,280.43, Cable TV - \$5,205.84, and Solid Waste Enterprise Fund - \$22,284.00 for a grand total of \$107,373.85. Roll call: All voted aye. Carried.

Nault/Gustafson to approve the consent agenda:

- a. Approval of 10/20/20 regular Common Council minutes.
- b. Place the following minutes on file:
 - (1) Joint Park & Recreation Committee/Board – 8/26/20
 - (2) Zoning Board of Appeals – 10/13/20
 - (3) Finance/Purchasing & Building Committee - 10/13/20
 - (4) City Plan Commission – 10/21/20
 - (5) Parking & Traffic Committee – 10/26/20
- c. Place the following report on file:
 - (1) Fire Department Report – September 2020
- d. Finance/Purchasing & Building Committee Recommendation re: Approve the exchange of easements between the City of Sturgeon Bay and the Door County Maritime Museum to effectuate proper underground utilities.
- e. Finance/Purchasing & Building Committee recommendation re: Approve the acquisition of parcel 281-62-10000117 from Door County in the amount of the back taxes owed.
- f. Finance/Purchasing & Building Committee recommendation re: Accept the revised easement with American Transmission Company in the amount of \$3,000.
- g. Finance/Purchasing & Building Committee recommendation re: Approve the services agreement between City of Sturgeon Bay and Destination Sturgeon Bay.
- h. Parking & Traffic Committee recommendation re: Extend the “No Parking Zone” on West Walnut Drive from South Elgin Avenue to South Fulton Avenue.

Carried.

Williams/Reeths to confirm the following Mayoral appointment:

PERSONNEL COMMITTEE

Dennis Statz

Carried.

Bacon/Nault to confirm the following Mayoral appointment:

INDUSTRIAL PARK DEVELOPMENT REVIEW TEAM

Dennis Statz

Carried.

Gustafson/Reeths to confirm the following Mayoral appointment:

AESTHETIC DESIGN & SITE PLAN REVIEW BOARD

Kelsey Fox

Carried.

A public hearing re: Zoning code amendment to Section 20.27 (Height and Area Regulations) was opened at 7:12 p.m. The public hearing was declared closed at 7:30 p.m.

Mayor Ward introduced the item for the first and second reading of ordinance re: Zoning code amendment to Section 20.27(4) and 20.27(3) of the municipal code – Zoning Code (Height & Area Regulations) and provided a history of the process involved for this amendment. The matter of the zoning text amendment went to the Plan Commission on August 19, 2020. On October 6, 2020 the Plan Commission considered the matter again and modified the recommended height to the 120-foot limit with a vote of 5-0. For this item, there are two changes to consider, those being the 120-foot height of the building, and allowing for a side yard less than the required minimum side yard on an expansion of an existing building.

Reeths/Williams to read in title only for the first reading of ordinance re: Zoning code amendment to Section 20.27(4) and 20.27(3) of the municipal code – Zoning Code (Height & Area Regulations). Carried.

The Mayor called for a motion to suspend the rules to allow consideration of the second reading of the ordinance at this meeting. No motion was made.

RECOMMENDATION

We, the City Plan Commission, hereby recommend to approve a zoning map amendment from Central Business District (C-2) to Heavy Industrial (I-2) for a portion of the following properties owned by Fincantieri Bay Shipbuilding: 281-10-85340109B; 281-10-85371001R; 281-10-35371301R; 281-85371401; and 281-10-85360101C as illustrated in the request letter from Fincantieri Bay shipbuilding dated October 26, 2020 with the condition that Fincantieri must complete a beautification plan incorporating the 3rd Avenue properties to be rezoned through a cooperative effort with the City of Sturgeon Bay. The Plan must be approved by the City.

CITY PLAN COMMISSION

By: David Ward, Chr.

Nault/Reeths to adopt. Gustafson/Statz to amend the motion to remove the property located north of the northern property line for 341 N. Third Ave (train depot parcel) from the rezoning recommendation as that area should remain as C-2. Vote taken on the amendment. Carried. Vote taken on the original motion as amended. Carried.

Williams/Reeths to suspend the rules to do a first and second reading of ordinance re: Zoning map amendment from C-2 to I-2 for a portion of properties owned by Fincantieri Bay Shipbuilding. Carried.

Gustafson/Reeths to read in title only and adopt the ordinance re: Zoning map amendment from C-2 to I-2 for a portion of properties owned by Fincantieri Bay Shipbuilding as amended by eliminating the land located north of the northern line of 341 N. Third Ave (train depot parcel). Roll call vote: Wiederanders, Reeths, Bacon, Statz, Williams, Gustafson, and Nault voted aye. Carried.

RECOMMENDATION

We, the City Plan Commission, hereby recommend to approve an amendment to section 20.175(1) of the Municipal Code (Zoning Code) regarding mixed-use buildings in the C-5 zoning district by adding the following to this list of permitted uses.

Buildings containing a mixture of residential uses and commercial uses including home occupations. There shall be no maximum floor area restrictions between the uses. Home occupations shall not be limited to the standards outlined in section 20.09(2)(a) 1-7

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Community Development Director Olejniczak summarized the agenda item. The C-5 zoning district is a mixed-use district of commercial and residential. Since the intent is to have a mixture of uses, it makes sense that a building itself could have mixed uses but right now such buildings follow C-2 requirements, which limits the residential uses to 50% of the floor area. The current language in the zoning code is vague and difficult to enforce. The City's Attorney had advised that this language be made clearer to mitigate being challenged. That said, the Plan Commission reviewed this item and forwarded this recommendation to the Council.

Statz/Williams to adopt. Carried.

City Administrator VanLieshout presented the following bids for the City Hall renovations. The purpose of the renovations is to improve service, efficiency, and safety for the public and employees.

RJM Construction, LLC	\$156,850
IEI General Contractors, Inc.	\$168,000
Immel Construction	\$171,000
Portside Builders, Inc.	\$183,130
Milbach Construction	\$184,287

Bacon/Reeths to award the Contract for Project 2005 – City Hall-Reception Area Renovations to RJM Construction., LLC with a base bid totaling \$156,850.00. Carried.

Alderson Williams presented the item in regard to changing the Common Council meeting time from 7:00 p.m. to 6:00 p.m. from the first meeting of November through the last meeting in March. Other Council members have expressed interest in doing this as well. An earlier meeting time would be convenient during the dark and blustery winter months.

Williams/Reeths to change Council meeting times to 6:00 p.m. from November to April. Carried.

RECOMMENDATION

We, the City Plan Commission, hereby recommend that the Council work with the SC Swiderski proposal for redevelopment of the Sunset School parcel, and work with Maritime Heights for the redevelopment of the parking lot parcel on the south side of Erie Street.

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Mayor Ward reminded the Committee that the Sunset School parcel is actually owned by the School District of Sturgeon Bay and that their plan is to cease use of the building at the end of this academic year. School district representatives came to the city to discuss potential uses of the property and building, and the parking lot across the street, that would suit the common interest of both parties. An RFP was sent out and the City Plan Commission reviewed the responses. Density and diversity of construction was part of their discussion and decision-making process. A hybrid recommendation was made and forwarded to the Common Council and if approved permits staff to work with both SC Swiderski and Maritime Heights on development agreements. The development agreements will come before the Finance/Purchasing & Building Committee and building design would come before the Aesthetic Design & Site Plan Review Board, and then both through to the Council.

Bacon/Statz to adopt. Carried.

City Administrator VanLieshout gave his report.

The Mayor gave his report.

Nault/Williams to adjourn. Carried. The meeting adjourned at 8:41 p.m.

Respectfully submitted,

Valerie J. Clarizio
Finance Director/City Treasurer