

COMMON COUNCIL
February 18, 2020

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: Bacon, Hayes, Williams, Avenson, Nault, Wiederanders and Reeths were present.

Avenson/Nault to adopt agenda. Carried.

The following people spoke during public comment: Laurel Hauser 746 Kentucky St; Scott Moore 947 Pennsylvania St.

Bacon/Williams to approve following bills: General Fund - \$247,296.20, Capital Fund - \$17,441.69, Cable TV - \$67.77, TID #4 - \$2,384.82 and Solid Waste Enterprise Fund - \$521.14 for a grand total of \$267,711.62. Roll call: All voted aye. Carried.

Reeths/Bacon to approve consent agenda:

- a. Approval of 2/4/20 regular Common Council minutes.
- b. Approval of the following minutes:
 - (1) Aesthetic Design & Site Plan Review Board . 1/27/20
 - (2) Finance/Purchasing & Building Committee . 1/28/20
 - (3) Personnel Committee-1/29/20
 - (4) Community Protection & Services Committee-2/6/20
- c. Place the following report on file:
 - (1) Inspection Department Report . January 2020
- d. Consideration of: Approval of Beverage Operator Licenses.
- e. Consideration of: Approval of Temporary Class B licenses, Temporary Class B Wine license, Class A Liquor and Class A beer license.
- f. Consideration of: Approval of Street Closure Application for Destination Sturgeon Bay.
- g. Personnel Committee recommendation re: Approve Changes to the Employee Handbook regarding vacation and management benefits.
- h. Personnel Committee recommendation re: Implement a bi-weekly payroll for non-represented employees and update the Employee Handbook.
- i. Personnel Committee recommendation re: allow the employment of 15 year olds for ice rink attendant position,

Carried with Nault abstaining

Mayoral appointments.

BOARD OF PARKS & RECREATION

Hayes/Avenson to approve:

Chris Larsen
Jay Renstrom
Carried.

Williams/Wiederanders to read in title only and adopt the second reading of ordinance re: Repeal and recreate Section 27.12(3) and amending Section 20.09 of the Municipal Code-Sign Code. Carried.

Bacon/Hayes to award the Contract for Project 2002A . Concrete Replacement Program to Martell Construction, Inc. with unit pricing amounts totaling an estimated cost of \$291,855.30. Carried.

Williams/Nault to award the Contract for Project 2002B . Asphalt Replacement Program to Northeast Asphalt, Inc. with unit pricing amounts totaling an estimated cost of \$832,139.07. Carried.

RECOMMENDATION

We, the Community Protection & Services Committee, hereby recommend to approve the updated Sturgeon Bay Fire Department Inspection Agreement with Town of Jacksonport.

COMMUNITY PROTECTION & SERVICES COMMITTEE

By: Dan Williams, Chr.

Introduced by Williams. Williams/Reeths to approve. Fire Chief Dietman stated the City passed a re-inspection fee ordinance, that took effect in December. The updated contract reflects the re-inspection fees that will be charged to the Town fire department, in addition to providing fire prevention education materials. Carried.

RECOMMENDATION

We, the Community Protection & Services Committee, hereby recommend to approve the quadricycle license application, plan of operation and routed for Foxy Pedaler, LLC contingent upon proper certification of insurance and ASE certification being filed with the City.

COMMUNITY PROTECTION & SERVICES COMMITTEE

By: Dan Williams, Chr.

Introduced by Williams. Williams to approve. It was noted that the original route map submitted with the application was amended removing the Michigan Street bridge route. Carried.

Thad Majkowski, of Cedar Corporation, presented the West Waterfront promenade discussing the comments from the February 10 and February 18, 2020 public meetings such as tree selection, addition of railings, enhanced lightning and Wayfare signage considerations.

Bacon/Williams to accept the conceptual design plan subject to final discussions and specified dimensions and at the 30 % and 75% design stages that it be brought back to Council for presentation.

Discussions continued among the Council focusing on the spacing needs for access road especially for public safety vehicles, walkway spacing, tree placement and consideration of the working needs of Sarter Marine Towing Company.

Avenson to suspend the rules and invite Sarter Marine Towing to speak. Died due to lack of second.

Reeth to amend motion that until there is assigned permanent placement of the granary no proper approvals processes are made with any development and that the service access road be put on hold until all legal aspects are in place. Died due to lack of second.

Discussion continued regarding the placement of the granary and access road placement.

Avenson to call the question. Vote taken on original motion. Carried with Reeths voting no.

Community Development Director Olejniczak stated Cedar Corporation will provide the engineering services and if needed by the City they can provide on-site inspection services.

Avenson/Hayes to approve the contract for Engineering Services for the West Waterfront Promenade with the following cost estimates:

- Items 1.1 through 1.2 = \$121,900 to \$132,100
- Items 1.3 = \$28,500 to \$37,300
- Items 1.4 through 1.5 = to be determined after award of the bids

- Items 1.6 = to be determined if *Additional Environmental* work is necessary.

Carried. with Reeths voting no.

The following items were requested for future agendas: (Hayes) CPS . Charter for Green Tier Legacy; (Nault) CPS . Street Light Request from 127 Maple Street.

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

City Administrator VanLieshout gave his report.

The Mayor gave his report.

City Attorney Kalny highlighted the various points of the first amendment of the development agreement with the Sturgeon Bay Historical Society prior to moving into closed session.

After Mayor Ward announced the statutory basis, Wiederanders/Bacon to convene in closed session in accordance with the following exemptions: Deliberating or negotiating the purchasing of public-properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Wis. Stats. 19.85(1)(e) Consideration of: Development Agreement amendments with Sturgeon Bay Historical Society. Roll call: Carried. The meeting moved to closed session at 8:42 pm.

The Council reconvened in open session at 9:39 pm. Hayes/Avenson to approve the First Amendment to the development agreement upon confirmation of available finances as explained by the City Attorney and subject to the amendment of Exhibit E to include a scale floor plan that depicts the public access, to the bathrooms, and a site plan that delineates the leased premise as the footprint of the granary, and proposed improvements, the maintenance easement, construction easement and ingress and egress easements as generally described in the form Sublease and as are reasonably necessary to construct, access and operate the site in cooperation with other City developments proximate to this location. These plans and shall be subject to the approval of the Council prior to the execution of the Sublease.

It is the intent of this motion to approve of the First Amendment at this time to accommodate timely negotiation of the submerged land lease and facilitate the engineering and commencement of construction at the lease. Carried with Nault and Reeths voting no.

Williams/Avenson to adjourn. Carried. The meeting adjourned at 10:14pm.

Respectfully submitted,

Tricia Metzger
Receptionist