



**CITY OF STURGEON BAY COMMON COUNCIL AGENDA
TUESDAY, SEPTEMBER 7, 2021
6:00 P.M.
COUNCIL CHAMBERS, CITY HALL – 421 MICHIGAN ST
DAVID J WARD, MAYOR**

1. Call to order.
2. Pledge of Allegiance.
3. Roll call.
4. Adoption of agenda.
5. Public Comment on agenda items only.
6. Presentation re: Granary Update (Beth Renstrom).
7. Consideration of the following bills: General Fund – \$258,649.83, Capital Fund - \$58,111.10, Cable TV - \$5,205.83, TID #2 - \$349.27, TID #4 - \$8,114.00, Solid Waste Enterprise Fund - \$6,096.17 and Compost Site Enterprise Fund - \$423.01 for a grand total of \$336,949.21. [roll call]
8. **CONSENT AGENDA**

* All items listed with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests before the Adoption of the Agenda, in which event the item will be removed from the Consent Agenda and considered immediately following the consent agenda.

* a. Approval of 8/17/21 regular Common Council minutes.

* b. Place the following minutes on file:

- (1) Community Protection & Services Committee – 7/1/21
- (2) Ad Hoc NERR Advisory Committee – 8/6/21
- (3) Historic Preservation Commission – 8/9/21
- (4) Zoning Board of Appeals – 8/10/21
- (5) Finance/Purchasing & Building Committee – 8/10/21
- (6) Local Arts Board – 8/11/21
- (7) Joint Review Board – 8/17/21
- (8) City Plan Commission – 8/18/21
- (9) Parking & Traffic Committee – 8/23/21
- (10) Zoning Board of Appeals – 8/24/21
- (11) Ad Hoc NERR Advisory Committee – 8/27/21

* c. Place the following reports on file:

- (1) Police Department Report – July 2021
- (2) Fire Department Report – July 2021
- (3) Bank Reconciliation – July 2021
- (4) Revenue & Expense Report – July 2021

- * d. Consideration of: Approval of Beverage Operator licenses.
 - * e. Consideration of: Approval of Street Closure Application from Sunshine House Inc.
 - * f. Consideration of: Approval of Street Closure Application from Door County Medical Center.
 - * g. Parking & Traffic Committee recommendation re: Add a No Parking Here to Corner Sign on the existing sign pole, just east of the garage doors on the North side of Oregon Street.
 - * h. Finance/Purchasing & Building Committee recommendation re: Approve the funding request from the Friends of Sturgeon Bay Skatepark in an amount not to exceed \$15,000 for directional boring for the installation of lighting at the Skatepark and to assist with future maintenance costs.
9. Mayoral Appointments.
 10. Consideration of: Approval of Street Closure Application from Old Bolts Car Club with a request for waiver from providing certificate of insurance.
 11. Community Protection & Services recommendation re: Approve the changes presented in Section 7.12 – Bicycles, play vehicles, and in-line skates of the Municipal Code and approve first reading of the ordinance.
 12. City Plan Commission recommendation re: Approve the Final Planned Unit Development (PUD) for Northpointe Development Corp. to develop a 53-unit multiple family dwelling, located on Lot 1 of certified survey map #3476 of the West Waterfront Redevelopment Area on the North side of E. Maple Street subject to conditions and approve the first reading of the ordinance to rezone from Central Business District (C-2) to Planned Unit Development (PUD) subject to requirements.
 13. Consideration of: Approval of Turnaround Easement – Ackerman Street.
 14. Resolution re: Establishing the Boundaries of and Approving the Project Plan for Tax Incremental District No. 5, City of Sturgeon Bay, Door County, Wisconsin.
 15. Consideration of: First reading of ordinance amending the provisions of Chapter 30.01-30.02, Municipal Code – Room Tax Ordinance.
 16. Resolution Authorizing and Approving Intergovernmental Room Tax Agreement Amendment Number Three.
 17. City Administrator report.
 18. Mayor's report.
 19. Adjourn.

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.

Posted:

Date:

9-3-21

Time:

12:00 Noon

By:

[Signature]

NOTE: COUNCIL CHAMBERS WILL BE OPEN TO THE PUBLIC TO OBSERVE AND RENDER PUBLIC COMMENT ON AGENDA ITEMS ONLY. THE MEETING WILL BE LIVESTREAMED AT <https://sbtv.viebit.com/> AND CABLE ACCESS CHANNEL 988.

CITY OF STURGEON BAY
GENERAL PROCEDURES FOR PUBLIC COMMENT AT COMMON COUNCIL MEETINGS

Any citizen requesting to address the Council during the public comment portion of the meeting:

- Must fill out a "Request to Comment" form and turn it in to the City Clerk or Mayor PRIOR to the start of the meeting. Name and address must be filled in. Indicate the agenda item number that you are planning to provide public comment on. Public Comment will be restricted to Agenda Items only.
- Individuals will have a maximum of three (3) minutes to address the Council. A total of 30 minutes will be allotted to Public Comment per meeting, unless the Council body agrees to extend the time. The extensions will be 15 minute additional increments.
- Priority will be given to City residents.
- The speaker shall not engage in personal attacks against the Mayor, Council members, City staff or its representatives and remain courteous and respectful. The Council/Committee requests that all comments and interactions between those present be conducted in a constructive and respectful manner. Anyone acting in a disruptive or disrespectful manner will be asked to leave the meeting by the person presiding at the meeting.
- The Mayor/Chair may ask questions of the speaker for clarification purposes.
- The Mayor/Chair may allow, at his discretion, Council/Committee members or staff to respond to the speaker's comment. However, dialogue will not ensue.
- The Mayor/Chair may refer the matter to a committee or to the City Administrator for further follow up as needed.

IF EVERYONE ABIDES BY THESE GUIDELINES, OUR MEETINGS WILL MOVE ALONG SMOOTHLY AND BUSINESS WILL BE CONDUCTED IN AN EFFICIENT AND TIMELY MANNER. YOUR COOPERATION WILL BE APPRECIATED BY ALL PRESENT AT THE MEETING.

PLEASE NOTE THAT LETTERS WILL NOT BE READ INTO THE RECORD AS PUBLIC COMMENT. ONLY LETTERS RECEIVED FOR A PUBLIC HEARING WILL BE READ INTO THE RECORD.

NOTE: IF TOPICS THAT WILL GENERATE SIGNIFICANT POTENTIAL FOR PUBLIC COMMENT APPEAR ON THE COUNCIL AGENDA, A PUBLIC HEARING WILL TAKE PLACE PRIOR TO THE COUNCIL MEETING.

RESPECTFULLY,
MAYOR DAVID J. WARD

REVISED: 6/2/20

DP 7.
TJ
ID: AP443510.100

CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT
INVOICES DUE ON/BEFORE 09/07/2021

7. 1

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
GENERAL FUND				
REVENUE				
R0001710	LUCILLE KIRKEGAARD	HAZARD ITEM TAG REF/KIRKEGAARD	01-000-000-48105	43.50
R0001712	OSCAR LAVINE	PARK SHELTER FEE RFND/O LAVINE	01-000-000-46300	55.00
R0001712		PARK SHELTER FEE RFND/O LAVINE	01-000-000-24214	2.75
R0001712		PARK SHELTER FEE RFND/O LAVINE	01-000-000-24215	0.28
TOTAL REVENUE				101.53
CAPITAL PROJECTS				
01761	ASSOCIATED TRUST COMPANY	PAY AGENT GO RFN BOND 7/5/12	01-000-913-70002	125.73
TOTAL CAPITAL PROJECTS				125.73
TOTAL GENERAL FUND				227.26
LAW/LEGAL				
03950	DAVIS KUELTHAU	07/21 GENERAL LEGAL MATTERS	01-110-000-55010	2,770.00
03950		07/21 LEGAL MATTERS-JEANQUART	01-110-000-55010	1,229.00
16555	PINKERT LAW FIRM, LLP	07/21 GEN LEGAL /JAUREGUI	01-110-000-55010	42.00
16555		07/21 TRAFFIC MATTERS	01-110-000-55010	3,307.50
TOTAL				7,348.50
TOTAL LAW/LEGAL				7,348.50
ADMINISTRATION				
17700	QUILL CORPORATION	AVERY OVAL ID LABELS	01-120-000-56650	15.99
TOTAL				15.99
TOTAL ADMINISTRATION				15.99
COMPUTER				
03101	CDW GOVERNMENT, INC.	2 SCAN SNAPS/PD	01-125-000-55550	835.86
TOTAL				835.86
TOTAL COMPUTER				835.86
CITY ASSESSOR				
ASSO APP	ASSOCIATED APPRAISALS	08/21 CONTRACT	01-130-000-55010	4,916.67
ASSO APP		09/21 CONTRACT	01-130-000-55010	4,916.67
TOTAL				9,833.34
TOTAL CITY ASSESSOR				9,833.34
MUNICIPAL SERVICES ADMIN.				

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CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT
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VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
03133	CELLCOM WISCONSIN RSA 10	07/21 CHAD CELL SVC	01-145-000-58250	56.20
TOTAL				56.20
TOTAL MUNICIPAL SERVICES ADMIN.				56.20
PUBLIC WORKS ADMINISTRATION				
03133	CELLCOM WISCONSIN RSA 10	07/21 MIKE B CELL SVC	01-150-000-58250	43.87
22800	WALMART	COIN/BILL WRAPPERS	01-150-000-51950	9.21
TOTAL				53.08
TOTAL PUBLIC WORKS ADMINISTRATION				53.08
CITY HALL				
03159	SPECTRUM	07/21 FIRE CABLE SVC	01-160-000-58999	142.25
04575	DOOR COUNTY HARDWARE	SIMPLE GREEN CLEANER	01-160-000-55300	11.99
04575		WINDOW CLEANING SUPPLIES	01-160-000-55300	40.97
04575		BARREL BOLT	01-160-000-51850	13.99
04575		HINGE STRAP	01-160-000-51850	17.98
04575		AIR FILTER	01-160-000-51850	4.99
04575		GRASS SHEAR/TUBE SQUARE	01-160-000-51850	47.98
04575		BATTERY	01-160-000-51850	31.98
04575		CREDIT	01-160-000-51850	-2.00
04575		BATTERIES	01-160-000-55300	13.99
04575		FASTENERS	01-160-000-51750	0.86
23730	WPS	421 MICHIGAN ST	01-160-000-56600	812.80
23730		1317 SHILOH RD	01-160-000-56600	17.65
WARNER	WARNER-WEXEL LLC	PAPER PRODUCTS	01-160-000-51850	68.16
TOTAL				1,223.59
TOTAL CITY HALL				1,223.59
INSURANCE				
MCCLONE	MCCLONE AGENCY, INC	09/21 WORK COMP	01-165-000-58750	9,648.00
MCCLONE		09/21 GEN LIAB	01-165-000-56400	3,253.00
MCCLONE		09/21 POLICE LIAB	01-165-000-57150	1,411.00
MCCLONE		09/21 PUBLIC OFFICIAL LIAB	01-165-000-57400	1,235.00
MCCLONE		09/21 CYBER LIAB	01-165-000-55450	286.00
MCCLONE		09/21 AUTO LIAB	01-165-000-55200	1,999.00
MCCLONE		09/21 AUTO PHYSICAL DAMAGE	01-165-000-55200	2,367.00
TOTAL				20,199.00
TOTAL INSURANCE				20,199.00
GENERAL EXPENDITURES				

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CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT
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VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
08167	GANNETT WISCONSIN NEWSPAPERS	JT BOARD REVIEW NOTICE	01-199-000-57450	18.80
08167		05/21 COUNCIL MIN PUBLICATION	01-199-000-57450	109.80
08167		06/21 COUNCIL MIN PUBLICATION	01-199-000-57450	81.45
08167		ORD 1386-0621 PUBLICATION	01-199-000-57450	18.80
08167		PBLC HRING NOTICE/PHILLIPS DEV	01-199-000-57450	31.68
KERBER	KERBERROSE S.C	DC MUSEM CDI REPORT PREP	01-199-000-51525	1,500.00
US BANK	US BANK EQUIPMENT FINANCE	08/21 FIRE COPIER	01-199-000-55650	97.00
US BANK		08/21 COPIER OVERAGE	01-199-000-55650	7.79
TOTAL				1,865.32
TOTAL GENERAL EXPENDITURES				1,865.32
POLICE DEPARTMENT				
04575	DOOR COUNTY HARDWARE	CORD TIE WRAP	01-200-000-51950	25.98
15890	PACK AND SHIP PLUS	SHIPPING-LOWELL IN	01-200-000-57250	5.13
BUBRICKS	BUBRICK'S COMPLETE OFFICE, INC	ASSORTED OFFICE SUPPLIES	01-200-000-51950	65.40
TOTAL				96.51
TOTAL POLICE DEPARTMENT				96.51
POLICE DEPARTMENT/PATROL				
03133	CELLCOM WISCONSIN RSA 10	07/21 CRADLEPOINT PORT SEC CAM	01-215-000-58999	52.97
04696	DOOR COUNTY TREASURER	07/21 FUEL	01-215-000-51650	4,030.74
AQUA	AQUA CENTER OF GREEN BAY INC	SCUBA DIVE CLSS MATERIAL/HAACK	01-215-000-55600	446.25
HAACK	TREVOR HAACK	WORK BOOT REIMBURSE/HAACK	01-215-000-52900	100.00
JIM FORD	JIM OLSON FORD-LINCOLN, LLC	INV VEHICLE MAINTENANCE	01-215-000-58600	50.79
JIM FORD		SQUAD 10 MAINTENANCE	01-215-000-58600	77.36
JIM FORD		SQUAD 80 MAINTENANCE	01-215-000-58600	43.40
JIM FORD		SQUAD 30 MAINTENANCE	01-215-000-58600	43.40
TOTAL				4,844.91
TOTAL POLICE DEPARTMENT/PATROL				4,844.91
FIRE DEPARTMENT				
00919	ACCURATE ALIGNMENT & FRAME	E6 BRAKE SHOES	01-250-000-53000	550.32
00919		BRAKE SHOES E4	01-250-000-53000	550.32
03025	CAPTAIN COMMDES INC	TRAINING SITE-PORT A POTTY	01-250-000-51405	40.00
04575	DOOR COUNTY HARDWARE	SLIVER TARP	01-250-000-54999	49.99
04575		Y BRASS HOSE W/SHUTOFF	01-250-000-54999	15.99
04575		HARD SURFACE CLEANER	01-250-000-54999	9.18
04575		ADJUSTABLE ELBOW	01-250-000-54999	5.99
04575		CHAIN/SLIP HOOK/TRAY LINER	01-250-000-54999	43.93
04575		DRILL BIT/FASTENERS	01-250-000-54999	15.75
04575		LED	01-250-000-54999	5.49
04575		PAINTING SUPPLIES	01-250-000-54999	16.35
04575		WASP/HORNET SPRAY-FASTENERS	01-250-000-54999	19.74
04575		FASTENERS/STRAP/CLIP/CABLE	01-250-000-54999	98.89

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VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
04696	DOOR COUNTY TREASURER	07/21 FUEL	01-250-000-51650	2,195.40
19880	STURGEON BAY UTILITIES	CHERRY BLOSSOM	01-250-000-56675	15.54
19880		SUNSET PRK BOAT LAUNCH	01-250-000-56150	13.54
20725	T R COCHART TIRE CENTER	E6 ROTATION REAR TIRES	01-250-000-53000	160.00
20725		E4 REAR TIRES	01-250-000-53000	2,284.20
23730	WPS	656 S OXFORD AVE-WS FIRE	01-250-000-56600	37.71
FIRE SRV	FIRE SERVICE, INC.	E6 CRANKCASE BREATHER	01-250-000-53000	168.71
FLEETPRI	FLEETPRIDE	E6 BRAKES	01-250-000-53000	873.84
FLEETPRI		E6 BRAKES	01-250-000-53000	10.90
FLEETPRI		BRAKE DRUMS/E4	01-250-000-53000	813.84
PAULCONW	PAUL CONWAY SHIELDS	MASK WIPES	01-250-000-52350	187.49
VANS	VANS FIRE & SAFETY, INC	WATER EXTINGUISHER	01-250-000-52700	224.80
TOTAL				8,407.91
TOTAL FIRE DEPARTMENT				8,407.91
ROADWAYS/STREETS				
04696	DOOR COUNTY TREASURER	HOT MIX ASPHALT	01-400-000-52200	378.97
TOTAL				378.97
TOTAL ROADWAYS/STREETS				378.97
SNOW REMOVAL				
SNOW REMOVAL				
13825	MORTON SALT	81800 LBS ROAD SALT	01-410-000-52400	3,296.11
TOTAL SNOW REMOVAL				3,296.11
TOTAL SNOW REMOVAL				3,296.11
STREET SIGNS AND MARKINGS				
04276	DIAMOND VOGEL PAINT CENTER	25 PAILS WHITE TRFFC PAINT	01-420-000-52100	1,781.25
04276		25 PAILS WHITE TRFFC PAINT	01-420-000-52100	1,781.25
04696	DOOR COUNTY TREASURER	SIGNS	01-420-000-52600	484.40
19275	SHERWIN WILLIAMS	PAINT MACHINE FILTERS	01-420-000-52100	14.98
20070	TAPCO	ANCHORS	01-420-000-52550	227.08
20070		FREIGHT	01-420-000-52550	28.89
TOTAL				4,317.85
TOTAL STREET SIGNS AND MARKINGS				4,317.85
CURB/GUTTER/SIDEWALK				
04575	DOOR COUNTY HARDWARE	SAW BLADE/GRND WHEEL/GRNDR	01-440-000-54999	84.57
04575		CONCRETE MIX	01-440-000-51200	15.98
04575		GARDEN SPRAYER	01-440-000-54999	17.99
PREMIER	PREMIER ELECTION SOLUTIONS	CONCRETE	01-440-000-51200	342.00

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CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT
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VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
TOTAL				460.54
TOTAL CURB/GUTTER/SIDENWALK				460.54
STREET MACHINERY				
04545	DOOR COUNTY COOPERATIVE/NAPA	BONDED WIRES	01-450-000-52150	16.49
04545		GAUGE/BELT	01-450-000-53000	57.13
04545		HYDROIL FL	01-450-000-53000	149.28
04545		WIPER	01-450-000-53000	27.46
04545		HOSE CLAMPS	01-450-000-53000	15.38
04545		VACUUM	01-450-000-52150	87.50
04575	DOOR COUNTY HARDWARE	STRAP/STEEL CONDUIT HANGER	01-450-000-52150	8.15
04575		SUPPLY EXCHANGE	01-450-000-52150	0.19
04575		DUCT TAPE	01-450-000-52150	9.99
04575		HOSE BARB/POLY TUBE	01-450-000-52150	3.64
04696	DOOR COUNTY TREASURER	07/21 FUEL 506.15 GAL	01-450-000-51650	1,468.34
04696		07/21 DSL FUEL 573.50 GAL	01-450-000-51650	1,685.52
06012	FASTENAL COMPANY	CABLE TIES	01-450-000-53000	16.89
11545	MAPLE STREET SIGN CO.	TRUCK GRAPHICS	01-450-000-53000	255.65
20725	T R COCHART TIRE CENTER	TIRES/MOOUNT/DISPOSAL	01-450-000-53000	280.88
20725		FLAT TIRE REPAIR	01-450-000-53000	20.00
ADVAUTO	GENERAL PARTS DISTRIBTION LLC	BRAKE CLEANER/LUBE/FUEL	01-450-000-52150	83.10
ADVAUTO		WASHER FLUID	01-450-000-52150	20.20
ADVAUTO		BATTERY	01-450-000-53000	164.80
ADVAUTO		BUTT TERMINAL	01-450-000-53000	17.39
ADVAUTO		SPARK PLUG	01-450-000-52150	8.96
ADVAUTO		FILTER/CLEANERS/OIL	01-450-000-52150	256.24
ADVAUTO		TOW HARNESS	01-450-000-53000	32.29
ENVIROTE	BOGIE ENTERPRISE, INC	MANIFOLD	01-450-000-53000	205.02
ENVIROTE		HOSES	01-450-000-53000	363.30
ENVIROTE		SHIPPING	01-450-000-53000	42.24
O'REILLY	O'REILLY AUTO PARTS-FIRST CALL	ANTIFREEZE	01-450-000-53000	37.98
O'REILLY		FUEL HOSE	01-450-000-53000	3.54
O'REILLY		RADIATOR CAP/ANTIFREEZE	01-450-000-53000	107.30
O'REILLY		CONNECTOR	01-450-000-53000	12.99
O'REILLY		TAIL LIGHT/TRAILER WIRE	01-450-000-53000	46.58
O'REILLY		HYD OIL	01-450-000-53000	259.99
R0000655	TRANSMOTION, LLC	HYDRAULIC FITTINGS	01-450-000-53000	107.37
R0000655		HOSE	01-450-000-53000	128.64
RIESTER	RIESTERER & SCNELL INC.	SPOOL KIT	01-450-000-53000	644.14
TOTAL				6,644.56
TOTAL STREET MACHINERY				6,644.56
CITY GARAGE				
06012	FASTENAL COMPANY	RECIP SAW	01-460-000-52700	156.51
06012		TORCH	01-460-000-52700	399.96
TOTAL				556.47
TOTAL CITY GARAGE				556.47

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CITY OF STURGEON BAY
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VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
PARK & RECREATION ADMIN				
03133	CELLCOM WISCONSIN RSA 10	07/21 MIKE B CELL SVC	01-500-000-58250	43.87
03133		07/21 STEVE CELL SVC	01-500-000-58250	32.74
03133		07/21 CELL SVC	01-500-000-58250	25.75
23200	WDOR	RADIO ADVERT/FARM MARKET	01-500-000-57450	120.00
23200		RADIO ADVERT/HARMONY	01-500-000-57450	120.00
TOTAL				342.36
TOTAL PARK & RECREATION ADMIN				342.36

PARKS AND PLAYGROUNDS

02435	BISSEN ASPHALT LLC	10 TRUCK LOADS SAND	01-510-000-51760	810.00
04545	DOOR COUNTY COOPERATIVE/NAPA	BATTERY	01-510-000-53000	58.49
04575	DOOR COUNTY HARDWARE	PAINT	01-510-000-51850	26.99
04575		HARDWARE/COUPLER/ADAPTER	01-510-000-58600	64.94
04575		PADLOCK	01-510-000-52700	45.98
04575		FLUSH LEVER	01-510-000-51850	8.59
04575		ADAPTER	01-510-000-52700	6.99
04575		LOCKING C CLAMP	01-510-000-52700	51.98
04575		RUBBING ALCOHOL	01-510-000-51850	3.99
04575		BAKING SODA/HYDROGEN PEROXIDE	01-510-000-51850	4.18
04575		LANDSCAPE FABRIC	01-510-000-51750	49.99
04575		LANDSCAPE FABRIC	01-510-000-51750	99.98
04575		DOWNSPOUT/ELBOW	01-510-000-56250	60.98
04696	DOOR COUNTY TREASURER	07/21 FUEL 1022.57 GAL	01-510-000-51650	2,966.48
04696		07/21 DLS FUEL 333.01 GAL	01-510-000-51650	978.72
08225	HERLACHE SMALL ENGINE	RECOIL	01-510-000-52700	21.00
12100	LAMPERT YARDS INC	LUMBER	01-510-000-51800	89.94
19240	SERVICE MOTOR CO	MOWER BLADES	01-510-000-51900	145.44
19880	STURGEON BAY UTILITIES	PARK LIGHT REPLACEMENT	01-510-000-58999	873.75
19880		CHERRY BLOSSOM	01-510-000-56150	32.48
19880		CHERRY BLOSSOM	01-510-000-58650	32.60
19880		JAYCEE BALLFLD STAND	01-510-000-56150	8.24
19959	SUPERIOR CHEMICAL CORP	BOWL CLEANER	01-510-000-51850	100.77
19959		URINE CATCHERS	01-510-000-51850	187.50
19959		FREIGHT	01-510-000-51850	55.83
23730	WFS	335 S 14TH AVE-MEM FLD	01-510-000-56600	28.60
GERBER	GERBER LEISURE PRODUCTS, INC	BENCH-MADDEN DONATION	01-510-000-54999	1,212.00
GERBER		FREIGHT	01-510-000-54999	172.00
GERBER		BENCH DONATION- R NELSON	01-510-000-54999	1,212.00
GERBER		BENCH DONATION-M CONTRATTO	01-510-000-54999	1,212.00
GERBER		FREIGHT	01-510-000-54999	216.00
JIM FORD	JIM OLSON FORD-LINCOLN, LLC	MODULE KIT RETAINER	01-510-000-53000	397.00
O'REILLY	O'REILLY AUTO PARTS-FIRST CALL	MOWER REPAIR	01-510-000-51900	46.10
WARNER	WARNER-WEXEL LLC	CLEANING PRODUCTS/SUPPLIES	01-510-000-51850	1,115.02
TOTAL				12,396.55
TOTAL PARKS AND PLAYGROUNDS				12,396.55

BALLFIELDS

BALLFIELDS				
04575	DOOR COUNTY HARDWARE	CONNECTOR	01-520-000-54999	4.59

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CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT
INVOICES DUE ON/BEFORE 09/07/2021

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VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
BALLFIELDS				
	BALLFIELDS			
04575		SIGN OSHA NOTICE	01-520-000-52550	32.88
04575		PROPANE FUEL/BROOM/VELCRO	01-520-000-56500	47.33
04575		DEADBOLT	01-520-000-51750	33.99
04575		ASSORTED SUPPLIES	01-520-000-56500	24.95
TOTAL BALLFIELDS				143.74
TOTAL BALLFIELDS				143.74
MUNICIPAL DOCKS				
04575	DOOR COUNTY HARDWARE	SPONGES	01-550-000-51850	8.26
23730	WFS	36 S NEENAH AVE RESTROOM	01-550-000-56600	29.29
AUDIO	AUDIO ELECTRONICS	REPLACE GROUND FAULT OUTLET	01-550-000-58999	40.00
AUDIO		REPLACE BREAKER-STONE HARBOR	01-550-000-58999	120.00
TOTAL				197.55
TOTAL MUNICIPAL DOCKS				197.55
WATER WEED MANAGEMENT				
04575	DOOR COUNTY HARDWARE	KEROSENE/DIESEL CANS	01-560-000-52050	62.98
04575		DIGITAL THERMOMETER	01-560-000-51400	18.99
ADVAUTO	GENERAL PARTS DISTRIBTION LLC	TRANS FILTER	01-560-000-51400	8.05
ADVAUTO		TRANS FILTER	01-560-000-51400	16.10
TOTAL				106.12
TOTAL WATER WEED MANAGEMENT				106.12
WATERFRONT PARKS & WALKWAYS				
04575	DOOR COUNTY HARDWARE	TRASH CANS	01-570-000-54999	43.98
04575		BRUSH/TANK LEVER	01-570-000-54999	18.58
TOTAL				62.56
TOTAL WATERFRONT PARKS & WALKWAYS				62.56
COMMUNITY & ECONOMIC DEVLPMT				
19730	STURGEON BAY VISITOR CENTER-	3RD QTR SUPPORT	01-900-000-57800	24,462.29
TOTAL				24,462.29
TOTAL COMMUNITY & ECONOMIC DEVLPMT				24,462.29
TOTAL GENERAL FUND				108,373.14
CAPITAL FUND				

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CITY OF STURGEON BAY
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VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
CAPITAL FUND				
FIRE DEPARTMENT				
EXPENSE				
PAULCONW	PAUL CONWAY SHIELDS	HELMET GOGGLES	10-250-000-59050	290.00
TOTAL EXPENSE				290.00
TOTAL FIRE DEPARTMENT				290.00
ROADWAYS/STREETS				
ROADWAYS/STREETS				
04585	DOOR COUNTY HIGHWAY DEPARTMENT	DULUTH AVE FINAL BILLING	10-400-000-59096	45,134.50
TOTAL ROADWAYS/STREETS				45,134.50
TOTAL ROADWAYS/STREETS				45,134.50
CURB/GUTTER/SIDEWALK				
EXPENSE				
10750	PREMIER CONCRETE INC	CONCRETE 3RD-JEFFERSN/4TH-LOUSI	10-440-000-59102	1,141.60
R0000211	ST PETERS LUTHERAN CHURCH	SIDEWALK REIMBUSE/ST PETERS	10-440-000-59102	1,932.00
TOTAL EXPENSE				3,073.60
TOTAL CURB/GUTTER/SIDEWALK				3,073.60
PARKS AND PLAYGROUNDS				
PARKS AND PLAYGROUNDS				
ELLIS	ELLIS FENCE CO., LLC	SUNSET PARK FENCE/FINAL PAYMNT	10-510-000-59075	4,613.00
VALLSEAL	VALLEYSEAL COAT, INC	POST SLEEVE INSTALLATION	10-510-000-59075	5,000.00
TOTAL PARKS AND PLAYGROUNDS				9,613.00
TOTAL PARKS AND PLAYGROUNDS				9,613.00
TOTAL CAPITAL FUND				58,111.10
CABLE TV				
CABLE TV / GENERAL				
CABLE TV / GENERAL				
MANN	MANN COMMUNICATIONS, LLC	09.07.21 CONTRACT	21-000-000-55015	5,205.83
TOTAL CABLE TV / GENERAL				5,205.83
TOTAL CABLE TV / GENERAL				5,205.83
TOTAL CABLE TV				5,205.83
TID #2 DISTRICT				
TID DISTRICT #2				
T2 SERIES 2006A				
01761	ASSOCIATED TRUST COMPANY	PAY AGENT GO RFN BOND 7/5/12	25-320-933-70002	349.27
TOTAL T2 SERIES 2006A				349.27

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VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
TID #2 DISTRICT				
T2 SERIES 2006A				
T2 SERIES 2006A				
TOTAL TID DISTRICT #2				349.27
TOTAL TID #2 DISTRICT				349.27
TID #4 DISTRICT				
TID #4 DISTRICT				
TID #4 DISTRICT				
03950	DAVIS KUELTHAU	07/21 TID 4 LEGAL MATTERS	28-340-000-55001	7,031.50
19880	STURGEON BAY UTILITIES	MARITIME TOWER STEPS REPAIR	28-340-000-59082	582.50
BOARD	BOARD OF COMMISSIONERS	LEASE 180 ADMIN FEE	28-340-000-55001	500.00
TOTAL TID #4 DISTRICT				8,114.00
TOTAL TID #4 DISTRICT				8,114.00
TOTAL TID #4 DISTRICT				8,114.00
SOLID WASTE ENTERPRISE				
SOLID WASTE ENTERPRISE FUND				
SOLID WASTE ENTERPRISE FUND				
04545	DOOR COUNTY COOPERATIVE/NAPA	HEADLIGHTS	60-000-000-53000	24.98
04696	DOOR COUNTY TREASURER	07/21 DSL FUEL 849.01 GAL	60-000-000-51650	2,495.24
20725	T R COCHART TIRE CENTER	TIRE CHANGES	60-000-000-52850	120.00
20725		4 RECAPS	60-000-000-52850	736.00
ADVAUTO	GENERAL PARTS DISTRIBTION LLC	STROBE MODULE/SHIPPING	60-000-000-53000	278.28
BRIDGEPO	BRIDGEPORT MANUFACTURING, INC	RELAYS	60-000-000-53000	39.36
BRIDGEPO		SEAL KIT	60-000-000-53000	101.23
GFLENVIR	GFL ENVIRONMENTAL, INC	CARBOARD RECYCLING CONTAINER	60-000-000-58350	631.76
JX ENT	JX ENTERPRISES, INC.	TUBE INLET	60-000-000-53000	94.78
JX ENT		PARTS/LABOR REPAIRS TRCK 39	60-000-000-53000	1,359.10
O'REILLY	O'REILLY AUTO PARTS-FIRST CALL	STEEL TANDEM	60-000-000-53000	110.12
R0000655	TRANSMOTION, LLC	HYDRAULIC FITTINGS	60-000-000-53000	105.32
TOTAL SOLID WASTE ENTERPRISE FUND				6,096.17
TOTAL SOLID WASTE ENTERPRISE FUND				6,096.17
TOTAL SOLID WASTE ENTERPRISE				6,096.17
COMPOST SITE ENTERPRISE FUND				
COMPOST SITE ENTERPRISE FUND				
COMPOST SITE ENTERPRISE FUND				
02005	BAY ELECTRONICS, INC.	RADIO	64-000-000-57550	250.00
02005		BRACKET	64-000-000-57550	19.06
02005		CONNECTOR	64-000-000-57550	46.95
02005		SPEAKER	64-000-000-57550	10.00
02005		LABOR	64-000-000-57550	95.00
19880	STURGEON BAY UTILITIES	CHERRY BLOSSOM	64-000-000-58999	2.00
TOTAL COMPOST SITE ENTERPRISE FUND				423.01
TOTAL COMPOST SITE ENTERPRISE FUND				423.01
TOTAL COMPOST SITE ENTERPRISE FUND				423.01
TOTAL ALL FUNDS				186,672.52

MANUAL CHECKS

THIRD AVENUE PLAYHOUSE 08/16/2021 Check # 89101 Grant Disbursement 10-199-000-59999	\$ 139,408.50
AT&T MOBILITY 08/16/21 Check # 89102 01-215-000-58250	\$1,491.23
STURGEON BAY SCHOOL DISTRICT 08/20/21 Check # 89169 06/21 & 07/21 Mobile Home Tax Payment 01-000-000-41300	\$ 8,484.47
SUPERIOR VISION 08/2021 Check # 89170 09/21 Vision Insurance 01-000-000-21540	\$892.49
TOTAL MANUAL CHECKS	\$150,276.69

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CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 09/07/2021

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
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SUMMARY OF FUNDS:

GENERAL FUND	108,373.14	258,164.83
CAPITAL FUND	58,111.10	
CABLE TV	5,205.83	
TID #2 DISTRICT	349.27	
TID #4 DISTRICT	8,114.00	
SOLID WASTE ENTERPRISE	6,096.17	
COMPOST SITE ENTERPRISE FUND	423.01	

TOTAL --- ALL FUNDS

186,672.52 336,949.21

Debra Bacon August 31, 2021
STW Wm... 8/31/21
John White 8/31/21

COMMON COUNCIL
August 17, 2021

A meeting of the Common Council was called to order at 6:00 p.m. by Mayor Ward. The Pledge of Allegiance was recited. Roll call: Bacon, Williams, Gustafson, Nault, Wiederanders and Reeths were present. Statz was excused.

Williams/Nault to approve the agenda. Carried.

No one spoke during public comment.

Bacon/Wiederanders to approve following bills: General Fund - \$90,497.16, Capital Fund - \$615,271.64, Cable TV - \$39.69, TID #3 - \$8,575.00, TID #4 - \$136,530.82 Solid Waste Enterprise Fund - \$22,874.26 and Compost Site Enterprise Fund - \$208.89 for a grand total of \$873,997.46. Roll call: All voted aye. Carried.

Reeths/Gustafson to approve consent agenda:

- a. Approval of 8/3/21 regular Common Council minutes.
- b. Place the following minutes on file:
 1. City Plan Commission – 7/21/21
 2. Ad Hoc NERR Advisory Committee – 7/23/21
 3. Finance/Purchasing & Building Committee – 7/27/21
 4. Aesthetic Design & Site Plan Review Board – 7/26/21
 5. Personnel Committee – 8/5/21
- c. Consideration of: Approval of Beverage Operator licenses.
- d. Consideration of: Approval of Sidewalk Café Permit Application for Barn Door Quilts.
- e. Finance/Purchasing & Building Committee recommendation re: Approve the amendment to the Professional Services Agreement for building plan review with E-Plan Exam.

Carried.

There were no mayoral appointment.

Williams/Bacon to adopt Resolution to End Participation in the Wisconsin Service Award Program. Carried.

Brad Viegut, Managing Director from RW Baird, summarized awarding the sale for \$4,920,000 General Obligation Promissory Notes. Bacon/Reeths to adopt the resolution awarding the sale of \$4,920,000 general obligation promissory notes. Carried.

RECOMMENDATION

We, the Personnel Committee, hereby recommend to approve the following: Assistant Police Chief at Step 15 of the 2021 Wage Scale effective July 19, 2021 and Police Captain at Step 12 of the 2021 Wage Scale effective July 26, 2021.

PERSONNEL COMMITTEE

By: Dan Williams, Chr.

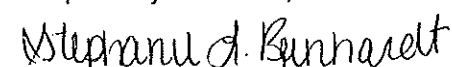
Williams/Gustafson to adopt. Carried.

There was no City Administrator report.

Mayor Ward gave his report.

Williams/Wiederanders to adjourn. Carried. The meeting adjourned at 6:17 p.m.

Respectfully submitted,


Stephanie L. Reinhardt
City Clerk/HR Director

COMMUNITY PROTECTION & SERVICES COMMITTEE
July 1, 2021

A meeting of the Community Protection & Services Committee was called to order at 4:30 p.m. by Chairperson Williams in the Council Chambers, City Hall. **Roll Call:** Members Ald. Williams, Ald. Reeths and Ald. Wiederanders were present. Also present from City Departments were Chief Henry, Mr. Olejniczak and Mr. VanLieshout.

Moved by Ald. Reeths, seconded by Ald. Wiederanders to adopt the following amended agenda:

1. Roll Call
2. Adoption of Agenda
3. Approval of Minutes from June 7, 2021
4. Public Comment on Agenda Items
5. Consideration of: Entertainment District Map Minor Alteration
6. Consideration of: Review of Ordinances for Possible Revision
 - a. Chapter 24 – Communication Towers
 - b. Chapter 27 – Signs
 - c. Chapter 10.09 – Unreasonably and Excessive Noise
 - d. Fence Ordinance
 - e. Wireless Facilities in the Right-of-Way Ordinance
7. Adjourn

All Ayes. Carried.

Approval of Meeting Minutes

Moved by Ald. Reeths, seconded by Ald. Wiederanders to approve the June 7, 2021 minutes. All Ayes. Carried.

Public Comment

None.

Entertainment District

An alteration to the map extending the Public Alcohol Consumption Area was proposed. The map would expand up S. Lansing Avenue to W. Oak Street.

Moved by Ald. Reeths, seconded by Ald. Wiederanders, to approve the addition to the Public Alcohol Consumption Area as noted. All ayes. Carried.

Review of Ordinances for Possible Revision

The purpose of the review process of City of Sturgeon Bay ordinances on file is to determine validity, enforceability, and relevance. After reviewing, if an ordinance needs to be updated it will be discussed then presented to Council.

- Chapter 24 – Communication Towers

The existing code will be drafted to meld with the existing County code. Hope to have a draft for next meeting.

- Chapter 27 – Signs

This code is continuing to be worked on. When staff has this drafted it will be put back on the agenda.

- Chapter 10.09 – Unreasonably and Excessive Noise

This code is continuing to be worked on. Staff is looking at other examples to pull from, then meet with the Police Department and craft an ordinance that fits our City. This item will be brought back next meeting.

- Fence Ordinance

This code is continuing to be worked on and will be brought back next meeting. The ordinance will mostly address fencing issues with set-backs to allys and intersections.

- Wireless Facilities in the Right-of-Way

Staff might include such information in Chapter 24 – Communication Towers.

Future items: Next meeting will start the review of ordinances from the beginning; Chapter 1.

Moved by Ald. Wiederanders, seconded by Ald. Reeths, to adjourn the meeting of the Community Protection Services Committee. All ayes. Carried. The meeting was adjourned at 5:03 p.m.

Respectfully submitted,



Sarah Spude-Olson
Police Department Office Manager

Ad Hoc NERR Advisory Committee
August 6, 2021

A meeting of the Ad Hoc NERR Advisory Committee was called to order at 9:02 a.m. by Co-Chairperson Oleson at Crossroads at Big Creek.

Roll call: Members Mark Holey, Caitlin Oleson, Laurel Hauser, Gregg Meissner, Charlie Henriksen and Matthew Peter were present. Ex Officio members David Ward and Chris Sullivan-Robinson were present. Ex Officio member Pam Seiler arrived at 9:15 a.m. Ex Officio members Steve Jenkins, Josh VanLieshout and Marty Olejniczak were excused. Also present was Deputy Clerk/Treasurer Spittlemeister.

Adoption of agenda: Moved by Ms. Hauser, seconded by Mr. Meissner, to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Public Comment.
4. Consideration of: UWGB NERR Update.
5. Consideration of: Prospectus and Video Update.
6. Consideration of: Outreach Strategy Update.
7. Adjourn.

Carried.

No one spoke during public comment.

Consideration of: UWGB NERR Update:

Emily Tyner, Director of Freshwater Strategy at University of Wisconsin-Green bay, gave a NERR presentation Tuesday, July 27th at the Door County Maritime Museum. The NERR criteria was developed primarily for coastal estuaries and can be modified for each particular site. The UW Green Bay NERR Site Development Committee now has seven selection criteria. The seven criteria include:

- Environmental Representativeness
- Value of the Site Research, Monitoring, and Resource Protection
- Suitability of the Site for Education and Interpretation
- Acquisition and Management Consideration
- Natural Resource and Build Infrastructure Resilience to Climate Change Impacts
- Partnership Building
- Institutional Commitment

The UWGB NERR is hoping to submit their criteria to NOAA early September. Since each NERR is run by the Federal Government, they would like to own and control their own site. UWGB NERR is interested at the possibility to include trial land as part of the reserve. Door County does not have tribal land, however there used to be tribal presence. Ms. Tyner like the connectiveness of organizations in Door County.

Consideration of: Prospectus and Video Update:

A Bay of Green Bay NERR Prospectus outline was distributed. The outline of the prospectus is as follows:

- Introduction
- How we Organize Our Bid
- Why Sturgeon Bay
- Why Door County
- Site Selection Criteria
- Letters of Support

The prospectus will be used as part of the interview process with the UWGB NERR Site Selection Committee. Initial time for that is early January 2022.

Consideration of: Outreach Strategy Update:

Mr. Ward met with Dan Tjernagel, Sturgeon Bay School Superintendent, to seek support from the schools. Mr. Tjernagel is willing to be a facilitator for the other school districts in the county and Algoma.

Outreach continues with updating businesses/individuals who have submitted letters of support. Also working to get the word out once a month on the NERR. Example of this would be a press release and Mayor's comments during Common Council meeting.

Moved by Mr. Meissner, seconded by Mr. Peter to adjourn. Carried. The meeting adjourned at 10:05 a.m.

Respectfully submitted,



Laurie Spittlemeister,
Deputy Clerk/Treasurer

CITY OF STURGEON BAY
 Historic Preservation Commission
 Monday, August 9, 2021
 Council Chambers, City Hall, 421 Michigan Street
 12:00 Noon

A meeting of the Historic Preservation Commission was called to order at 12:04 P.M., by Chairperson Dave Augustson in Council Chambers, City Hall, 421 Michigan Street.

Roll Call: Members present were Dave Augustson, City Engineer Chad Shefchik, Dennis Statz and Barry Mellen. Members Trudy Herbst, Eric Paulsen and Mark Schuster were absent. Also present were Community Development Director, Marty Olejniczak, Planner / Zoning Administrator, Christopher Sullivan-Robinson and Municipal Services Secretary, Patty Quinn.

Adoption of the Agenda: Moved by Mr. Shefchik and seconded by Mr. Statz to adopt the following agenda:

1. Roll Call.
2. Adoption of the agenda.
3. Approval of minutes from April 9, 2021.
4. Consideration of: Façade repairs to the Wilkins and Olander building located at 120 N 3rd Avenue.
5. Consideration of: Sawyer School Lofts project for Northpointe Development Corp located at 17 W Pine Street.
6. Consideration of: Historic District Designation for the defense home neighborhood (Sunset Hill Plat).
7. Consideration of: Historic District Designation for the West Side Business District.
8. Adjourn.

All in favor. Carried.

Approval of minutes from April 9, 2021: Moved by Mr. Shefchik and seconded by Mr. Mellen to approve the minutes from April 9, 2021.

All in favor. Carried.

Consideration of: Façade repairs to the Wilkins and Olander Building located at 120 N 3rd Avenue: Mr. Ken Overland, 217 N. 1st Avenue, Unit 15, Sturgeon Bay, was present to speak and is the owner of the Wilkins and Olander Building. He had called Larson Engineering who inspected the left side of the building. There are bricks that could fall and possibly be dangerous. That company suggested he remove the parapet and have it capped. Wall could possibly be three bricks deep and he is very concerned about safety. His plan is to eventually turn the building over to his family but wants to ensure that they get a safe property. The parapet is beautiful but a safety hazard, in his opinion. Mr. Overland plans to make sure that the right side of the building will match what is done on the left side and thinking of doing a light white wash to give the entire building the same appearance. It is not his intention to change the overall look and plans to keep the awning but he is still looking at who can do the work to possibly cap the parapet.

Mr. Augustson questioned if the barnwood around the windows would be removed and would the brick work have the same theme and detail as it does currently. Per Mr. Overland, he could replace the windows and barnwood frame if the windows are found to be in poor shape. He might use a vinyl or

plastic brick – whatever would be recommended by the commission but it's important to him that costs are kept down. Mr. Augustson asked that more details be provided on the brick pattern and suggested that Mr. Overland talk to TAP (Third Avenue Playhouse) to get an idea of what their costs were on the brick work done there.

Mr. Statz spoke on what he did with the Dancing Bear building to restore it to more of its original look. There are many different products available to do this kind of work but feels that this project would need to replicate what was originally there. Mr. Overland has not looked into options but strongly feels that the parapet is rotting and causing bricks to fall off.

Other questions raised by the commission included that of the roof slope and if there is any rubber on the roof. Mr. Augustson is not in favor of removing the parapet and Mr. Shefchik agreed and wants to see pricing options.

Mr. Shefchik and Mr. Sullivan-Robinson viewed original pictures taken of the current façade and Mr. Shefchik said it would be hard for the commission to approve the removal of the parapet on any building in the City. All agreed that Mr. Overland needs to maintain the brick detail and Mr. Statz suggested that he speak to TAP's contractor. Contact info will be provided.

Mr. Overland was wanting to begin this work right after Labor Day, 2021, so that it did not interrupt his daughter's business and wants to complete it, as soon as possible. He was very concerned on the total costs of what was being suggested and felt that he does not want to get into more debt but wants to leave his family a safe building. Mr. Shefchik would be open to substantial repair work being done first and work on parapet later but more details needed. The members commented that they cannot quickly decide on something that has been there for 140 years – they would be looking for replacement work that would be appropriate. Other suggestions made such as adding keystone bricks. Dimension, depth and design needs to be kept. The Commission asked that Mr. Overland obtain drawings/sketches to show general theme of the cornice and brick detail and suggested he, also, talk to the contractor that did the Bliss renovation and it wouldn't take long to get needed sketches.

Mr. Augustson then instructed Mr. Overland to take the next 6 to 8 weeks and get pricing options and drawings/sketches. The City would be looking for a brick pattern that would be same on both sides of the building and any replacement windows would be in kind. After all the work is completed, entire building would need to be painted. Commission looking to keep 3rd Avenue as 3rd Avenue.

Mr. Shefchik made a motion, seconded by Mr. Statz, to approve all of the work presented below the parapet, i.e. with windows relatively replaced in kind, brick work in kind, but follow-up approval for an appropriate parapet will still need to happen.

All in favor. Carried.

Consideration of: Sawyer School Lofts project for Northpointe Development Corp located at 17 W Pine Street: Mr. Jonathan Brinckley, Architect on this project, joined the meeting via Zoom at 12:47 P.M. Mr. Brinckley reminded the commission that full and complete plans have been submitted to this group and Northpointe is looking for final approval. Mr. Shefchik and Mr. Sullivan-Robinson had provided a detailed summary and it looks like the building will be replaced in kind. Mr. Brinckley said it is being kept historically in kind except for the ADA/handicap access. The canopy entrance would be the main entrance with the other doors for emergency only. The main entrance brings you to two stairways to the 2nd and 3rd floor corridors which is what the Historical Society wanted. It was mentioned that these plans did not go to the Aesthetic Board. Mr. Statz commented that he is good to go on the building and felt it was a great plan. Mr. Augustson had questions on outside stairways and whether an access to another street can be

added. Mr. Sullivan-Robinson feels it's a very straightforward plan and is okay on the landscaping. Parking spaces and the number of trees per zoning requirements all being presented in the plans.

Mr. Shefchik commented that it will be a very attractive site once completed but pointed out that a storm sewer drain that comes out at the bottom of the bleachers at the ball field, out to Pine Street, may be too close to future garages. Mr. Shefchik proposed a new manhole be put in but an easement/agreement to make a connection to a particular storm sewer drain. Mr. Brinckley remarked that a call is being held this week to address that and more discussion ensued regarding sanitary, sewer and public basin on this site still needs to be worked out and Mr. Brinckley will look into this.

Questions arose about future garages. Are concrete slabs to be poured with initial project start though garages to be built in the future? Only grass until garages are actually built. Mr. Shefchik concerned about the baseball field next door – may need to expand fences to prevent balls from falling into the parking lots. A solution could be seasonal netting that would be taken down after each season. Mr. Brinckley agreed to look into that.

Mr. Olejniczak commented that the exterior, landscaping, the layout of the parking lots and anything visible to the outside, is okay to approve. Trees are coniferous but the plan will need shade/canopy trees and Mr. Brinckley agreed to fix. Mr. Sullivan-Robinson felt that the lighting was good as far as the design but reminded Mr. Brinckley that they need to keep in mind the single-family residences on Pine Street may be affected by the lighting. Mr. Augustson asked if the Sawyer hill sign will be lit or not – per Mr. Brinckley, Pine Street will not be lit and there will be back-lit letters at the parking lot. Per Mr. Statz, the stone wall on Madison Street may need a little repair at some point.

Mr. Shefchik made a motion, seconded by Mr. Statz, to approve as presented as long as the parking lot trees will be approved by Mr. Sullivan-Robinson.

All in favor. Carried.

Consideration of: Historic District Designation for the defense home neighborhood (Sunset Hill Plat): Mr. Augustson and Mr. Olejniczak described the difference between a state-level historical registry versus a district level designation and what home owners would need to do if looking to make changes to their residences. Mr. Augustson not in favor of rules for home owners but putting a sign up or to be able to include in a walking tour, is fine. Mr. Statz questioned if doing an intensive survey on this area would be feasible. Mr. Olejniczak indicated that some costs are involved in doing that. It might be best to contact the neighborhood first and then investigate what it would take. Such a designation could raise property values and usually has a positive effect. Per Mr. Mellen, some homes in serious condition in this area but other parts of the City are experiencing the same. Mr. Olejniczak commented that only three of the original homes are actually left in the defense neighborhood.

Mr. Shefchik said that we should not spend the money to complete a survey if there aren't any plans with this kind of designation and that there would be no cost benefit to the City. Mr. Shefchik made a motion, seconded by Mr. Statz, to table this agenda item.

All in favor. Carried.

Consideration of: Historic District Designation for the West Side Business District: Mr. Augustson indicated that Mr. Olejniczak has an intensive survey on this area from 1983 that cost the City about \$8,000 at the time. The survey was completed on a number of West side businesses and put on an "Opinion of Significance" chart as to what buildings qualified at that time. If survey were redone today, some buildings may now qualify and it might be worth the cost of the survey.

Mr. Statz suggested that since the original survey is 40 years old, perhaps check with the state Historical Society on names of who can now complete such a survey. Mr. Olejniczak can pull data on properties last looked at and put this item on a future agenda and he and Mr. Sullivan-Robinson can get up to date prices on redoing the survey on a certain number of blocks, or a certain number of buildings. Perhaps donations would be made to help cover the costs. Mr. Augustson suggested that all commission members do a drive-by of buildings that they think would be worth looking into. It was decided to bring this back to a future meeting once more information is available.

Motion to adjourn by Mr. Shefchik and seconded by Mr. Statz. All in favor. Carried. Meeting adjourned at 1:35 P.M.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Patricia S. Quinn", with a long horizontal flourish extending to the right.

Patricia S. Quinn
Municipal Services Secretary

**Zoning Board of Appeals
August 10, 2021**

The City of Sturgeon Bay Zoning Board of Appeals was called to order at 12:00 noon by Chairperson William Murrock in Council Chambers, City Hall, 421 Michigan Street.

Roll call: Members William Murrock, Bill Chaudoir, Dave Augustson, Nancy Schopf and Alternate Michael Marit were present. Excused: Member Morgan Rusnak. Also present were Community Development Director Marty Olejniczak, Planner/Zoning Administrator Chris Sullivan-Robinson and Deputy Clerk/Treasurer Laurie Spittlemeister.

Adoption of agenda: Moved by Mr. Augustson, seconded by Ms. Schopf to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from May 25, 2021.
4. Public Hearing: Petition for variance from Section 27.12(4) of the City of Sturgeon Bay Sign Code, to install an Electronic Variable Message Sign for the Sturgeon Bay United Methodist Church, located at 836 Michigan Street.
5. Consideration of: Petition for variance from Section 27.12(4) of the City of Sturgeon Bay Sign Code, to install an Electronic Variable Message Sign for the Sturgeon Bay United Methodist Church, located at 836 Michigan Street.
6. Adjourn.

All ayes. Carried.

Approval of Minutes from May 25, 2021:

Moved by Mr. Chaudoir, seconded by Mr. Augustson to approve the minutes from May 25, 2021. All ayes. Carried.

Public hearing: Petition for variance from Section 27.14 (4) of the City of Sturgeon Bay Sign Code, to install an Electronic Variable Message Sign for the Sturgeon Bay United Methodist Church, located at 836 Michigan Street:

Mr. Sullivan-Robinson stated that the property is zoned Residential (R-1). Sturgeon Bay United Methodist Church has requested a variance of the Sign ordinance 27.12 (4). This Committee has reviewed a request from Sturgeon Bay United Methodist Church in 2018, in which it was denied because of the negative impact on the surrounding neighborhood and effect on pedestrian/vehicular traffic. This Committee had a similar request from St. Peter's Lutheran Church in 2016 that was approved. St. Peter's Lutheran Church property is not within a strictly residential area and abuts commercial property.

Mark Holey, 410 N 19th Avenue, Chairman of Trustee for Sturgeon Bay United Methodist Church explained the church had a campaign to raise money to make improvements to their property. Those improvements include a new driveway, redesigned parking lot, boiler replacement and installation of

an electronic variable message sign to increase communication and membership. When the request was denied in 2018, church leaders took concern and made the following changes.

- Sign content more static, changing every 20 seconds
- Reduce sign from 30 square feet to 24 square feet
- Changed frame color and added cross and trim to be more visually pleasing
- Background color of church name and message portion changed to darker color to reduce brightness
- Sign will be operated from 5:00 am to 10:00 pm
- Each message change of the sign will be quick
- Will display static messages without movement, animation or scrolling, and will not use flashing signs or lights
- Sign will be equipped with photosensitive equipment that will automatically adjust brightness

Mr. Holey continued that the sign will need footings and be flat on the ground, not on a pedestal. The church's intent is to landscape around the new sign once installed.

Chairperson Murrock opened the public hearing at 12:20 p.m.

Kirsten Reeths, 124 N 8th Place, also Alderperson for District 7 stated that students and millennials notice electronic signage more, as they view many things on a screen or electronically. Many organizations have already installed electronic signs for their businesses. She is in favor. As a side note, only one constituent reached out to Ms. Reeths in regards to the electronic sign.

Ron Vandertie, 818 Oregon Street, mentioned that when these signs were first introduced, he voted against while on City Council. Over the years, there have been many good changes to the ordinance. He is in favor.

Ms. Spittlemeister read two letters in favor of petition for variance from:

Karl Bethke, 908 Michigan Street

Nancy and Don Ziegelbauer, 137 N 10th Place

Brian Bergee, 907 Michigan Street, is opposed. He is not in favor, as it would be disruptive having a light shine into his house 17 hours a day. The church and his residents are located at the edge of historic district and would like to preserve it's charm.

Erika May, 107 S 9th Avenue is opposed. We are living in a digital age with people spending a lot of time on those devices. Does not want a larger sign in from of the church.

Kathy White, 833 Michigan Street, is opposed. She like to read, meditate and relax in her front yard and feels a digital sign across the street would be distressing and out of place. Student drivers and pedestrians would be distracted and fear property values might go down.

Ms. Spittlemeister read one letter in opposition of petition for variance from:

Diane Evenson, 32 N 9th Avenue.

Mr. Murrock offered rebuttal testimony. Mr. Holey stated that they are not trying to make this a moving sign, but more static. However, they would like to get their information out in a easier fashion than standing out in the elements. Students may not notice the sign. The church is willing to work

with neighbor's and willing to make additional changes if necessary. Their vision is to have a tasteful and a pleasing sign.

Steve Graf, 833 Michigan Street, mentioned that most people will use the internet to find a church and does not think a new sign is necessary.

Brian Bergee, 907 Michigan Street, stated that this new sign would be like having a TV in the yard, which is not appropriate.

Kathy White, 833 Michigan Street, asked if the church is willing to change their pattern if the sign is approved and what recourse people in the neighborhood would have if they would like the church to make additional changes.

Mr. Sullivan-Robinson stated that the nuisance ordinance on related issues would get through his office or the Police Department.

Mr. Olejniczak recited what the ordinance states the definition of an electronic variable message sign. The church would have the option to keep the sign lit 24 hours a day.

Mr. Chaudoir inquired if the sign was approved, could anyone zoned Residential (R-1) get an electronic sign in their front yard.

Mr. Olejniczak responded that anyone who would like to place a sign in a residential area would need to come before Zoning Board of Appeals and request a variance.

The public hearing was declared closed at 12:53 p.m.

Consideration of: Petition for variance from Section 27.12 (4) of the City of Sturgeon Bay Sign code, to install an Electronic Variable Message Sign for the Sturgeon Bay United Methodist Church, located at 836 Michigan Street:

Regulations of brightness for the electronic variable message sign was discussed. Mr. Chaudoir stated that Sturgeon Bay United Methodist Church has gone out of their way to please everyone.

Moved by Mr. Chaudoir, seconded by Mr. Augustson to approve variance from Section 27.12 (4) of the City of Sturgeon Bay Sign code, to install an electronic variable message sign for the Sturgeon Bay United Methodist Church, located at 836 Michigan Street with the conditions of changing the message to 30 second intervals and installing a planting bed with flowers around the sign to look more residential. Roll call: Carried with Ms. Schopf voting no.

Moved by Mr. Chaudoir, seconded Ms. Schopf to adjourn. All ayes. Carried. The meeting adjourned at 1:02 p.m.

Respectfully submitted,



Laurie Spittlemeister,
Deputy Clerk/Treasurer

FINANCE/PURCHASING & BUILDING COMMITTEE
August 10, 2021

A meeting of the Finance/Purchasing & Building Committee was called to order at 4:00 pm by Chairperson Bacon in the Council Chambers, City Hall. Roll call: Alderpersons Bacon, Wiederanders and Williams were present. Also present: Community Development Director Olejniczak, and Office Accounting Assistant II Metzger.

A motion was made by Alderperson Williams, seconded by Alderperson Wiederanders to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Public comment on agenda items and other issues related to finance & purchasing.
4. Consideration of: Amendment to Professional Services Agreement – Building Plan Review.
5. Review bills.
6. Adjourn.

Carried.

No one spoke during public comment on agenda items and other issues related to finance & purchasing.

Consideration of: Amendment to Professional Services Agreement – Building Plan Review

Community Development Director Olejniczak explained that there are two areas to amend in the contract with E Plan Exam. The contract with E Plan Exam currently provides for plan review services that include structural, building, mechanical, fire alarm and fire sprinkler but not for plumbing plan review. The City is a delegated municipality for most projects and is able to provide local plan review however, it is not delegated to do plumbing plan review. E Plan Exam has credentialed staff to provide plumbing plan reviews and the city's contracted building inspector, Door County Inspection, has credentialed staff to provide plumbing inspections, therefore the contract should be amended to include plumbing review. The second area to amend is to the invoice and payment structure. Currently, the City receives the payments for plan reviews, then pays 85% of the collected fees to E-Plan Exam. They are requesting to collect the fees and remit the 15% due to the City, which is easier for builders and reduces city staff administrative time.

Moved by Alderperson Wiederanders, seconded by Alderperson Williams to recommend to Common Council to approve the amendment to the professional service agreement for building plan review with E-Plan Exam. Carried.

Review bills

Moved by Alderperson Williams, seconded by Alderperson Wiederanders to approve the bills as presented and forward to the Common Council for payment. Carried.

Moved by Alderperson Wiederanders, seconded by Alderperson Williams to adjourn. Carried. The meeting 4:07pm.

Respectfully submitted,


Tricia Metzger

CITY OF STURGEON BAY
LOCAL ARTS BOARD MEETING
Wednesday, August 11, 2021
Council Chambers, City Hall, 421 Michigan Street
9:00 A.M.

A meeting of the Local Arts Board was called to order at 9:00 A.M., by Chairperson/Ald. Helen Bacon in Council Chambers, City Hall, 421 Michigan Street.

Roll Call: Members present were Ald. Helen Bacon, Stephanie Trenchard, Claire Morkin, Margaret Lockwood, and melaniejane. Also present – Director of Municipal Services, Mike Barker, Municipal Services Secretary, Patty Quinn, and City Administrative Assistant, Suzanne Miller.

Adoption of the Agenda: Moved by Ms. Lockwood and seconded by Ms. melaniejane to adopt the agenda after the addition of item #12, Adjourn.

1. Roll Call
2. Adoption of the agenda
3. Review of Minutes from July 14, 2021
4. Chair's report
5. Public comment on agenda items
6. Discussion and update on the Woolly Mammoth metal art sculpture project
7. Discussion on poetry/verse on City sidewalks
8. Discussion on the meet and greet with artist Steve Haas on August 24th, 25th or 26th
9. Discussion on Celestial Sailor metal art sculpture for possible placement in Sunset Park
10. Discussion on standardized wording for press releases
11. Discussion on the development of a cultural matrix/roadmap for art acquisition
12. Adjourn

All in favor. Carried.

Review of Minutes from July 14, 2021: No comments.

Chair's report: Chairperson/Ald. Bacon provided an update on Graham Park's fountain. The hull of the ship has been completed but the sail is still requiring work.

The board had wanted to meet in a more informal environment such as a round table but due to the scheduling of other committees' meetings, no rooms are available. Ald. Bacon mentioned that it would be better to remain meeting in Council Chambers in a larger space since new COVID concerns.

A special meeting will probably be held sometime this next winter for strategic planning and Ald. Bacon will look for someone that can help the board organize and host such a meeting.

Public comment on agenda items: No comments.

Discussion and update on the Woolly Mammoth metal art sculpture project: Ms. Chris Kellems, 120 Alabama St., was present to update the board. Out of the original \$26,000 needed, about \$24,620 has been raised and Edgewood Orchard Gallery has been paid most of the purchase price. Local corporations are now being solicited. Ms. Kellems mentioned that a bronze plaque will come later acknowledging all those who gave \$1,000 or more. The gallery will soon need to schedule a transportation date with the City. Director Barker indicated that he feels that a deadline date of September 15th is doable for installation of the Woolly Mammoth and Ald. Bacon will contact Chris Larsen to start the planning of the base in preparation for the sculpture.

Discussion on poetry/verse on City sidewalks: Ms. Lockwood updated all on her meeting with Jarod Santek, Executive Director of the non-profit organization called "Write On, Door County". They are very interested in working with the City and she felt getting residents involved city-wide to help compose what could be put on the sidewalks, would spark interest and support. She researched different ways that this can be done through, i.e., stencils/templates for

sandblasting/engraving or painting/staining. Ald. Bacon suggested visiting other cities who have done this but she did advise that this can only be done on sidewalks leading up to business entrances, per the City Engineer, and not public City sidewalks due to possible problems with slippery surfaces and costly maintenance. Ms. Trenchard suggested verse on curbs as an alternate. Ms. melaniejane has friends that were involved in doing this in Milwaukee and she will contact them to get more factual data. This discussion to continue at the next monthly meeting.

Discussion on the meet and greet with artist Steve Haas on August 24th, 25th or 26th: Per Ald. Bacon, August 26th has been chosen, 6 PM to 7 PM, for the celebration of the installation and to meet the artist. She will work with Ms. Miller in planning the event – they will offer snacks for an estimated 15 to 30 people that may attend, and perhaps have a City official say a few words. Ms. melaniejane will work on a press release and put together a FB announcement that can be distributed by the board members and shared on their own FB pages. Content discussed on what should be in the press release for this event.

Discussion on Celestial Sailor metal art sculpture for possible placement at Sunset Park: Per Ms. Miller, the transfer of ownership agreement has been approved by the City Attorney. This agreement needs to be approved by the Joint Parks & Recreation Committee/Board prior to being given to the Maritime Museum. Other questions raised regarding basic terms of the agreement, as well as questions regarding the refurbishing of the sculpture prior to installation, the base needed, and possible problems with one of the Sunset Park sites related to flooding. This discussion to continue at the next monthly meeting.

Discussion on standardized wording for press releases: Ms. Miller and Ms. melaniejane will work together to write a press release for the Steve Haas meet and greet on August 26th. Ms. melaniejane mentioned that all press releases should include the verbiage “in collaboration with the Local Arts Board”. This discussion to continue at the next monthly meeting.

Discussion on the development of a cultural matrix/roadmap for art acquisition: Due to time constraints, this was tabled and will be on next month’s agenda.

Items for next month’s agenda:

- Discussion to continue on poetry/verse on City sidewalks
- Discussion to continue on Celestial Sailor metal art sculpture for possible placement at Sunset Park
- Discussion to continue on standardized wording for press releases
- Discussion on the development of a cultural matrix/roadmap for art acquisition

Next Meeting Date: Wednesday, September 8, 2021 @ 9 A.M. – Council Chambers, City Hall.

Motion to adjourn by Ms. melaniejane and seconded by Ms. Morkin. All in favor. Carried. Meeting adjourned at 10:03 A.M.

Respectfully submitted,



Patricia S. Quinn
Municipal Services Secretary

JOINT REVIEW BOARD
Tuesday August 17, 2021

A meeting of the Joint Review Board was called to order at 1:00p.m. by Community Development Director Marty Olejniczak in Council Chambers, City Hall, 421 Michigan Street.

Roll call: Members present were City Representative Mayor Ward, Door County Representative Steve Wipperfurth, NWTC Representative Bob Mathews, Sturgeon Bay Schools Representative Mike Stephani. Also present were Alderperson Bacon, Alderperson Williams, Community Development Director Marty Olejniczak, Finance Director/City Treasurer Val Clarizio, Robert W Baird Representative Brian Ruechel and Office Accounting Assistant II Tricia Metzger.

Appointment of Chairperson: Moved by Mr. Wipperfurth, seconded by Mr. Mathews to nominate Mayor Ward as Chairperson of the Joint Review Board. All ayes. Carried.

Appointment of Public Member:

Moved by Mr. Wipperfurth, seconded by Mr. Mathews to nominate Bill Chaudoir as the public member of the Joint Review Board. All ayes. Carried. Mr. Chaudoir then joined the meeting.

Discuss Role of the Joint Review Board: Community Development Director Olejniczak explained that Sturgeon Bay currently has 4 tax increment districts. This organizational meeting is regarding a proposed plan to create Tax Increment District No. 5. The TID would consist of two parcels owned by the Sturgeon Bay School District that are intended for redevelopment as multi-family housing. Brian Ruechel of Robert W. Baird continued, stating the Joint Review Board is comprised of representatives from the 5 taxing jurisdictions and a public member. This meeting is a statutory requirement for the creation of a TID. The purpose is to become familiar with the reasons why the City is proposing to create another TID. Mr. Ruechel stated he prepared a draft preliminary project plan which includes statutory requirements, decisioning criteria, timeline and cash flow analysis proforma.

Overview of purpose and description of the Tax Incremental District No.5 being created:

Mayor Ward stated the Board is in the review process, the parcels owned by the Sturgeon Bay School District are not on the tax rolls because it's a school therefore is zero taxable value currently, which brings up the issues of economic benefit.

Mr. Chaudoir questioned whether there are developers for this project. Mr. Olejniczak explained that there are two developers. There are two parcels, the school parking lot and school building property. The Plan Commission and Common Council approved Maritime Heights to build 10 units on the school parking lot and S.C Swiderski for 26 units on the school property. Both developments are contingent upon certain terms such as TID assistance. He stated the City and Sturgeon Bay School District joined to submit an RFP for redevelopment. The two developers selected, based on their proposals seemed to fit best in terms of the comprehensive plan, fit for the neighborhood and what the City and School District considered a mix of both property value and other benefits.

Mr. Chaudoir questioned the selection of two developers. Mr. Olejniczak explained that Maritime Heights has several buildings on the former Amity Field property. The school parking lot affords Maritime Heights the opportunity to extend their building with the same 10-unit townhouse style construction with detached garages. S.C Swiderski proposed a 26-unit townhouse style development with attached garages. They are higher end priced. The units along 8th Ave will be one story, and westerly two stories. S.C Swiderski did not plan to utilize the parking area therefore Maritime Heights was considered. Mayor Ward stated the School District agreed that the City is critically short on housing. The school property and parking lot needed the right match up, Maritime Heights and S.C. Swiderski offered proposals that best fit the neighborhood.

Mr. Chaudoir commented the project plan has budgeted funds for playground equipment. Is the equipment for public use or limited to the tenants? Mr. Olejniczak explained the Plan Commission requested the developers provide recreational space, considering the school has a playground available to the public.

Neither developer is interested in having a playground since neither developer anticipates many children but they will set aside recreational space for their tenants. The project plan calls for the replacement of the playground equipment somewhere, options could include Garland Park or available green space by the Dairy Queen that could be either leased or by easement.

Mr. Wipperfurth commented that trying to find affordable housing in Door County is challenging. What is considered affordable? Is the rent charged by the developers going to be affordable? With the shortage in the workforce, is the housing cost affordable to bring families into the area? Mayor Ward stated these points were raised with the other four developments, Lexington Homes, S.C Swiderski, Tall Pines and Maritime Heights. Lexington Homes is at the higher end while Maritime Heights is lower. The house study expressed the need for all price points. The City does have affordable housing projects in the works.

Mr. Mathews questioned with the increase in building costs if there is any risk for potential delay with project timelines? Mr. Olejniczak stated Maritime Heights plans to start very soon and S.C Swiderski expects to start in Spring 2022.

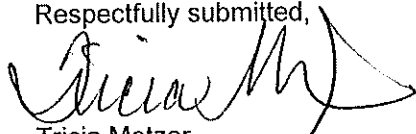
Mr. Chaudoir commented that the project plan includes repaving neighboring streets. How much is available to do with this TID. Mr. Olejniczak explained to keep the costs conservative the City is only considering the block that borders the TID District. It could go beyond for a section of Erie Street. Delaware Street needs work all the way down to 3rd Ave but work is included as part of the capital plan. If there is a need to extend further than the drafted project plan it could be written in. Mr. Ruechel stated that the initial cash proforma developed for the plan shows that there is additional financial capacity available.

Mr. Chaudoir questioned whether the neighborhood improvement program in the project plan is similar what was done in the area surrounding the former Wiretech site. Mr. Olejniczak stated the intent is to initialing offer funding for properties close to the TID and if extra funding is available expand broader. The concept being exterior type improvements either to the site or other improvements that would benefit the neighborhood.

The next meeting date is September 14, 2021 at 1:00 pm in the Council Chambers, City Hall.

Adjourn: Moved by Mr. Wipperfurth, seconded by Mr. Stephani to adjourn. Carried. The meeting adjourned at 1:34p.m.

Respectfully submitted,



Tricia Metzer
Office Accounting Assistant II

CITY PLAN COMISSION MINUTES

August 18, 2021

A meeting of the City Plan Commission was called to order at 6:00p.m. by Chairperson David J. Ward in the Council Chambers, City Hall, 421 Michigan Street, Sturgeon Bay.

Roll Call (#1): Members David Ward, Kirsten Reeths, Helen Bacon, Jeff Norland, Dennis Statz, Mark Holey, and Debbie Kiedrowski were present. Also present were Community Development Director Marty Olejniczak, Zoning/Planning Administrator Christopher Sullivan-Robinson, City Administrator Josh VanLieshout, City Finance Director Valerie Clarizio, and Administrative Assistant Suzanne Miller.

Adoption of agenda (#2): Moved by Mr. Holey, seconded by Mr. Norland to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from July 21, 2021.
4. Public comment on non-agenda Plan Commission related items.
5. Conditional Use petition from Karla Thomas for a commercial establishment with drive-through facilities located at 217 N. 4th Avenue.
 - a. Presentation
 - b. Public Hearing
 - c. Consideration
6. Project plan and boundaries for Tax Incremental District No. 5.
 - a. Presentation
 - b. Public Hearing
 - c. Consideration
7. Consideration of: Final Planned Unit Development proposed by Northpointe Development Co. for a 53-unit multiple-family dwelling on property along the north side of E. Maple street between Madison Avenue and Neenah Avenue.
8. Consideration of: Vacation (discontinuance) of Ackerman Street.
9. Adjourn.

Mr. Ward called a vote. All ayes. Motion carried.

Approval of minutes from July 21, 2021 (#3): Moved by Ms. Bacon, seconded by Mr. Statz to approve the minutes from July 21, 2021. Mr. Ward called a vote. All ayes. Motion carried.

Public Comment on non-agenda Plan Commission related items (#4): Beverly Lyle of the Stone Harbor Residential Condominiums Association, speaking on behalf of Association President Don Murdock, requests landscaping to include tree planting, between the sidewalk and curb alongside the Fincantieri Building on 1st Avenue directly across from the condominiums and the driveway that accesses the complex. She also reported the Association is thrilled with Fincantieri's beautification project along N. 3rd Avenue and they whole-heartedly support the concept of City and Industry working together to improve the borders between industrial development and residential areas. Ms. Lyle distributed a handout with a letter from Mr. Murdock and photos of the Fincantieri building.

Conditional Use petition from Karla Thomas for a commercial establishment with drive-through facilities located at 217 N. 4th Avenue (#5):

Presentation: Jace Schmelzer and Karla Thomas, business address 217 N. 4th Avenue, reported they are opening a coffee shop called Brewed Awakening Café with indoor and drive-through service in the former Nicolet Bank building and using the existing 4th Avenue drive-through that exits onto Kentucky Street. The median at the existing drive-through is being removed, leaving a large (30ft. wide) drive-through lane. The lane will accommodate 15 cars or 10 trucks. Mr. Schmelzer voiced his concern that there be no accidents involving the drive-through. There is a parking space next to the drive through where a vehicle would pull out onto Kentucky Street and Mr. Schmelzer asked were there a future issue with accidents, could that first spot be eliminated.

Christopher Sullivan Robinson explained the requirement for a Conditional Use Permit is for the drive-through facility only. He stated staff has no issues regarding logistics or safety concerns.

Mayor David Ward stated the potential parking issue would be directed to the Parking and Traffic Committee chaired by Plan Commission member Kirsten Reeths. Mr. Ward directed petitioner to direct questions regarding parking to Ms. Reeths.

Mr. Holey asked about ownership of the "road" between the former Nicolet Bank property and Door County Hardware. Mr. Olejniczak explained Chad Ladick owns everything outlined in black on the map provided. The alley (12-ft. wide) is owned by the City.

Public Hearing: No one presented testimony on the issue. Public Hearing was closed by Mr. Ward at 6:14pm.

Consideration: Moved by Ms. Norland and seconded by Ms. Reeths for approval of the petition for Conditional Use. Mr. Ward called the vote. All ayes. Motion passed.

Project plan and Boundaries for Tax Incremental District (TID) No. 5 (#6):

Presentation: Mr. Olejniczak explained Tax Incremental Financing as a tool for municipalities to support development/redevelopment projects by using the

development's future property tax revenue to pay for the improvements and development incentives required to get the development going initially. Taxes paid on the increased property value in the Tax Increment District (TID) go entirely to the city to pay off the costs of the TID. This will be the City's 5th TID and involves the former Sunset School where the City feels TID financing is the best way to meet the financial incentives and other public expenditures in the area such as building demolition, repaving streets, and assisting neighbors with property improvements. There are two redevelopment projects planned in the TID, which are Maritime Heights LLC to build 10 units of housing on the school parking lot parcel and S.C. Swiderski to build 26 units of townhouse style apartments with attached garages on the school site. Creation of TID #5 requires 3 approvals and a public hearing: 1) this meeting includes the public hearing and adoption of resolution by Plan Commission, 2) adoption of resolution by Common Council, and 3) adoption of resolution by Joint Review Board.

The City hired R.W. Baird to create the project plan and develop a financial proforma. Brian Ruechel of R.W. Baird joined the meeting at 6:19 pm and described the proposed TID as small, containing only two properties which currently have a tax valuation of \$0. Mr. Ruechel states that with the addition of TID #5, the value increment of all existing TIDs will be approximately 8.4%, which does not exceed the statutory maximum of 12% of the total equalized value of taxable property within the City. For TID #5 the total estimated cost of the projects being considered is \$975,316.

Mr. Ruechel described the financial Cash Flow Proforma Analysis for TID #5 (Exhibit A) as showing a mixed-use district with a 20-year life and ample tax increment that should be generated and would allow the cost to be recovered well before the 20 years (in the year 2034 range). He stated an attorney's opinion will be added after approval of the resolutions.

Ms. Reeths questioned the Proposed Projects map and boundaries that would include neighbors who could request monies for neighborhood property improvements. Mr. Olejniczak stated the boundary was subject to change, and explained allowing neighborhood single-family homeowners to use grant money to improve their homes and property values will protect the property value of the TID as well.

Mr. Norland requested clarification that the properties currently generate \$0 in tax revenue and within 13 years could generate tax revenue from the property. Mayor Ward reported at the time the TID is closed, the property value of the district would be approximately \$4 million which generates at about \$8,000/million in the City's portion of the property taxes.

Ms. Bacon clarified that the existing playground on the Sunset School property would be removed, but there is money in the project plan to construct a playground at some other location within walking distance of the existing playground.

Mr. Ward stated the inflation rate used in the projections is conservative, at 1%, which may allow increased value and a quicker payback. He believes the TID is the best

mechanism to promote a development that all four tax jurisdictions involved will benefit from.

Mr. Olejniczak reported the initial response from the Joint Review Board was positive and the group thinks the TID should expand to include additional paving of Delaware Street to 3rd Avenue.

Mr. Holey questioned whether, in addition to boundary changes, the total amount of money in the TID can be changed. Mr. Ruechel explained the TID is reviewed by the Joint Review Board annually and he will run projections and provide an updated proforma annually. New additions to the project can be made if the cash flow is there.

Public Hearing: No one testified and Mr. Ward closed the hearing at 6:39pm.

Consideration: Mr. Ward asked for a motion to approve the TID #5 Project Plan and Boundaries by adopting the Plan Commission Resolution. Motion to adopt the resolution was made by Mr. Holey and seconded by Ms. Ms. Kiedrowski. Mr. Olejniczak asked if there were any objections to including improving Delaware Street to 3rd Avenue in the project plan. There were no objections. Mr. Ward called the vote. All ayes. Motion passed.

Consideration of Final Planned Unit Development proposed by Northpointe Development Co. for a 53-unit multiple-family dwelling on property along the north side of E. Maple Street between Madison Avenue and Neenah Avenue (#7):

Mr. Olejniczak introduced Andy Dumke of Northpointe Development Co. and architect Bob Feller of Knothe Bruce to present the final plans and answer the Commission's questions. Mr. Olejniczak described the final plans as complete and consistent with the approved preliminary plans. He also reported the developer had obtained a Certificate of Appropriateness from the Aesthetic Design and Site Plan Review Board. A detailed staff report was completed by Mr. Sullivan-Robinson and provided to the Commission.

Ms. Reeths questioned whether there would be an area for residents to grill and if the building is pet friendly would there be an area for residents to take their pets. Mr. Dumke responded they envisioned residents grilling on the rooftop deck. And though the area is not fenced, there will be a designated spaced with doggy bags and trashcans so residents will know where they can go with their dogs. Ms. Reeths asked about the previously discussed bicycle storage. Mr. Feller stated the possibility of wall mounted bike storage existed in the under-building parking spaces and showed the floor plans with individual storage lockers on each floor. In response to her question about charging stations for electric vehicles, Mr. Dumke explained the contractor reports it would be easy to provide in the under-building parking area.

Mr. Ward questioned when ground would be broken for the project. Mr. Dumke states they expect to have a ground breaking in November or December of 2021 and lease out time would run to Spring, 2023.

Mr. Statz questioned short-term rentals. Mr. Olejniczak responded the City Attorney recommended the restriction regarding short-term rentals be included in the development agreement rather than as part of the PUD zoning ordinance.

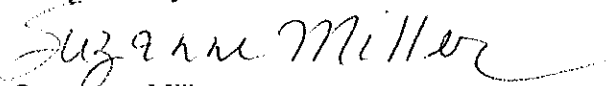
Mr. Statz made the motion to recommend approval of the final PUD to the Common Council and it was seconded by Mr. Holey. Mr. Olejniczak recommended the motion include two conditions: 1) the developer and the City entering into a signed development agreement and 2) the recommendations by the City Engineer regarding roof drainage be incorporated. The Commission agreed to include the conditions in the motion. Mr. Ward called the vote. All ayes. Motion passed.

Consideration of vacation (discontinuance) of Ackerman Street (#8): Mr. Olejniczak explained Ackerman Street is a street that has never been improved and is a 60ft. wide right of way off Cove Road that dead ends at the City limits. The owner of the property on both sides of Ackerman Street could redevelop the lot to the south, improving the tax base, if the street were abandoned. As there is no vehicular turnaround at the end of Cove Road, the resolution adds an easement to continue to use a portion of Ackerman Street for a turnaround. The street itself will become private property and returned to the tax rolls, but the public and the City can use the easement portion. Mr. Olejniczak recommends the Plan Commission approve the vacation of Ackerman Street subject to the vehicular turnaround easement. The easement must be recorded first, then the Resolution Discontinuing Ackerman Street can go before the Common Council for approval after a public hearing on 09/21/2021.

Mr. Ward made the motion to recommend the vacation of the street right-of-way of Ackerman Street subject to the vehicular turnaround easement. Kirsten Reeth seconded the motion. Mr. Ward called a vote. All ayes. Motion passed.

Adjourn (#9): Mr. Ward called for a motion to adjourn. Ms. Bacon made the motion. Ms. Kiedrowski seconded the motion. Mr. Ward called a vote. All ayes. Motion to adjourn passed at 7:03pm.

Respectfully submitted,



Suzanne Miller

Administrative Assistant

**Parking & Traffic
August 23, 2021**

A meeting of the Parking & Traffic Committee was called to order at 4:32 p.m. by Chairperson Reeths in Council Chambers, City Hall, 421 Michigan Street.

Members Kirsten Reeths, Spencer Gustafson and Dennis Statz were present. Also present: Municipal Services Director Mike Barker, City Engineer Chad Shefchik, Police Chief Clint Henry and Municipal Services Assistant Colleen DeGrave.

Moved by Ald. Gustafson, seconded by Ald. Statz to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Public comment.
4. Consideration of: Eliminating parking on the North side of Oregon Street between S. 4th and S. 5th Avenue.
5. Discussion of: Preferred detour routes for Bayview Bridge closures.
6. Adjourn.

All in favor. Carried.

Public comment.

Paul Anschutz, 221 N. 6th Avenue spoke.

Consideration of: Eliminating parking on the North side of Oregon Street between S. 4th Avenue and S. 5th Avenue. Ald. Reeths explained this agenda item had been tabled from a previous meeting until information could be gathered on the amount of accidents at this location. Chief Henry stated the issue had been brought up from a parking complaint where vehicles were parked right up to the corner and you could not see in the left direction at all with those cars parked there. Officer Crabb and Chief Henry had both taken a look at this location. There have been six documented accidents at this location. Discussion took place on parking options for this location.

Moved by Ald. Reeths, seconded by Ald. Statz, to recommend to Council to add a No Parking Here to Corner sign on the existing sign pole, just east of the garage doors on the N. side of Oregon St. All in favor. Carried.

Discussion of: Preferred detour routes for Bayview Bridge closures. City Engineer Chad Shefchik explained the City would like to recommend a preferred detour route to the DOT when work is done on the Bayview Bridge. He outlined three options for a detour, one using Michigan Street, one using Memorial Drive and one using Gordon Road. The committee decided that Michigan Street would be the preferred detour, but if that was not possible, then if the work is done prior to the 4th of July, that the Gordon Road detour should be used, and if the work takes place after the 4th of July, that Memorial Drive should be used. Mr. Shefchik stated he would send an email to the DOT as such.

Moved by Ald. Gustafson, seconded by Ald. Statz to adjourn. Meeting adjourned at 5:06 p.m.

Respectfully Submitted,



Colleen DeGrave
Municipal Services Administrative Assistant

**Zoning Board of Appeals
August 24, 2021**

The City of Sturgeon Bay Zoning Board of Appeals was called to order at 12:00 noon by Chairperson William Murrock in Council Chambers, City Hall, 421 Michigan Street.

Roll call: Members William Murrock, Bill Chaudoir, Dave Augustson, Nancy Schopf and Alternate Michael Marit were present. Member Morgan Rusnak arrived at 12:02 p.m. Alternate Michael Marit became a non-voting member. Also present were Planner/Zoning Administrator Chris Sullivan-Robinson, City Engineer Chad Shefchik and Deputy Clerk/Treasurer Laurie Spittlemeister.

Adoption of agenda: Moved by Mr. Chaudoir, seconded by Ms. Schopf to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from August 10, 2021.
4. Public Hearing: Petition for variance from Section 20.27 (2-3) of the City of Sturgeon Bay Zoning Code and Section 23.04 (3)(a)(1) of the City of Sturgeon Bay Floodplain Zoning Code for Timothy Murphy, located at 123 N. Lansing Avenue.
5. Consideration of: Petition for variance from Section 20.27 (2-3) of the City of Sturgeon Bay Zoning Code and Section 23.04 (3)(a)(1) of the City of Sturgeon Bay Floodplain Zoning Code for Timothy Murphy, located at 123 N. Lansing Avenue.
6. Adjourn.

All ayes. Carried.

Approval of Minutes from August 10, 2021:

Moved by Mr. Schopf, seconded by Mr. Augustson to approve the minutes from August 10, 2021. All ayes. Carried.

Public hearing: Petition for variance from Section 20.27 (2-3) of the City of Sturgeon Bay Zoning Code and Section 23.04 (3)(a)(1) of the City of Sturgeon Bay Floodplain Zoning Code for Timothy Murphy, located at 123 N. Lansing Avenue:

Mr. Sullivan-Robinson stated that the property is located within floodplain boundaries and zoned Residential (R-2). The crawl space of the home is currently at flood plain level. Setbacks for properties zoned R-2 need to be 25 feet from the street right of way, however the deck can be 17 feet away from the street. FEMA floodplain rules require the City to send variances to them, with the buffering rules enforced by Wisconsin Department of Natural Resources.

Mr. Chaudoir received clarification on some of the drawing, and felt the application did not have enough detail.

Mr. Sullivan-Robinson continued stating that fill will be satisfied on the north side of the home and very little needed on the west side.

Chairperson Murrock opened the public hearing at 12:15 p.m.

Timothy Murphy, 123 N Lansing Avenue explained he is currently remodeling the entire house to make it ADA compliant and would like a Victorian style deck around part of the house. The current deck has a flat roof, the plan for the new deck is to have a pitched roof in the front that will carry around one side of the house. The rest of the deck will be uncovered. The basement is mostly dry without a lot of issues.

Ms. Schopf asked when adding fill, if that will get them out of the floodplain.

Mr. Murphy responded that it would not.

Mr. Sullivan-Robinson explained that fill needs to be added to 585' above floodplain level. The basement level needs to be filled to 585' and the first floor needs to be at 587', otherwise the work will need to stop.

Mr. Murphy said that would not be cost effective.

Mr. Sullivan-Robinson replied that if the house is in the floodplain, it will need to meet flood proof standards. The neighbor to the north filled in their basement to 585' and the first floor was at 587' when remodeling to comply.

Mr. Murphy mentioned that a building permit has already been issued, but he was unable to receive one for the deck because of floodplain. If the basement needs to be filled in, it would negate the value of the home. He does not remember having this conversation or how this was missed.

Mr. Sullivan-Robinson replied this information was in multiple emails and those would be separate matters than current discussion. He suggested tabling this item.

Moved by Ms. Schopf to table this item to a future meeting. Motion failed due to a lack of second.

Mr. Chaudoir suggest continuing with the prepared variances requests since they would be needed either way.

Mr. Murphy addresses questions on deck dimensions, stating that the deck and entrances will be wider to access a wheelchair, there will be a roof on the deck in front and partial north side while the rest of the deck is uncovered.

Gary May, 133 N Lansing Avenue is in favor of the deck going all around the house and likes the improvements being made to the house.

There were no letters of correspondence in favor of the variance request.

No one spoke in opposition of the variance request.

There were no letters of correspondence in favor of the variance request.

Mr. Murphy expressed that this has been a challenging project. The house will be very nice when finished. The deck will be in compliance and a nice addition to the house.

Mr. Murrock asked the applicant to express hardship for the variance.

Mr. Murphy explained that if they do less than what they want to do, it would take away from the house. The need for a wheelchair ramp and having the entire house ADA compliant is for his father and considers those improvements as part of hardship.

Mr. Chaudoir questioned why the west side of the house is not filled to 586'.

Mr. Murphy explained it is because of grade going from yard to alleyway, tricky to drain.

Mr. Chaudoir asked if the grading of 15 feet is from the house or the end of the deck.

Mr. Sullivan-Robinson replied the 15 feet is from the house.

Mr. Augustson mentioned on the side by the street, if the two feet can be done under the deck and questioned the distance between steps of deck and street to neighboring houses.

Mr. Murphy said the two feet needed on the street side could definitely be done under the deck. The steps of the deck will be in line with another neighbor and a little forward than a couple others.

Mr. Shefchik stated the general grade of the property is draining towards the bay. Grade will need to remain the same at alley in order for drainage to occur.

Mr. Murrock asked if erosion control measures have to be followed.

Mr. Shefchik explained that with it being a residential site, silt fencing will be appropriate.

The public hearing was declared closed at 12:54 p.m.

Consideration of: Petition for variance from Section 20.27 (2-3) of the City of Sturgeon Bay Zoning Code and Section 23.04 (3)(a)(1) of the City of Sturgeon Bay Floodplain Zoning Code for Timothy Murphy, located at 123 N. Lansing Avenue:

Mr. Sullivan-Robinson explained that the members will need to vote on three separate variances. The following variances are requesting less of a fill buffer around the house to meet flood proofing requirements, street yard setback and side yard setback.

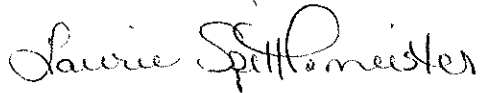
Moved by Chaudoir, seconded by Mr. Augustson to approve the fill variance request on the site plan and comply with necessary erosion control. Mr. Chaudoir's reasons are Mr. Murphy he is complying with the rules where he can on the west and north side and difficult to comply on the south side because of the driveway and alley. Mr. Augustson's reason are that fill of 15 feet around the lot line in difficult because houses in older neighborhoods were built near the lot line and he is not causing harm to other properties. Roll call: all ayes. Carried.

Moved by Mr. Chaudoir, seconded by Ms. Schopf to approve set back off of the right a way of 12' 9" or greater on the east side of building. Reasons include that a true hardship has not been identified. Roll call: all ayes. Carried.

Moved by Mr. Chaudoir, seconded by Ms. Rusnak to approve the variance for side yard setback, that it does not exceed the current set back. However, if damage to the railing or deck due to large ice/snow chunks being moved while snowplowing, owner is responsible for damage. Reasons for approval are that request is close to the current setback, which are currently non-conforming. Roll call: all ayes. Carried.

Moved by Mr. Augustson, seconded Ms. Schopf to adjourn. All ayes. Carried. The meeting adjourned at 1:14 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Laurie Spittlemeister".

Laurie Spittlemeister,
Deputy Clerk/Treasurer

Ad Hoc NERR Advisory Committee
August 27, 2021

A meeting of the Ad Hoc NERR Advisory Committee was called to order at 9:01 a.m. by Co-Chairperson Oleson at Crossroads at Big Creek.

Roll call: Members Mark Holey, Caitlin Oleson, Laurel Hauser, Gregg Meissner, Matthew Peter and Bill Hoag were present. Member Charlie Hendriksen was excused. Ex Officio members Steve Jenkins, David Ward were present. Ex Officio members Josh VanLieshout and Chris Sullivan-Robinson arrived at 9:08 a.m. Ex Officio members Marty Olejniczak and Pam Sieler were excused. Also present was Deputy Clerk/Treasurer Spittlemeister.

Adoption of agenda: Moved by Mr. Meissner, seconded by Ms. Hauser, to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Public Comment.
4. Consideration of: UWGB NERR Update.
5. Consideration of: Prospectus and Video Update.
6. Consideration of: Outreach Strategy Update.
7. Adjourn.

Carried.

No one spoke during public comment.

Consideration of: UWGB NERR Update:

Mr. Holey received the scoring criteria for the Lake Superior and Connecticut NERR's. In speaking with Emily Tyner, Director of Freshwater Strategy at UWGB, she explained that each NERR has different characteristics. Each criteria will be scored as high, medium or low diversity by NERR Evaluation Committee using professional judgement. After scoring each criteria, they are all added together and the site with the highest score is recipient of the NERR. Once the UWGB NERR Evaluation Committee approves a site, they will send the recommendation on to NOAA.

Mr. VanLieshout and Mr. Sullivan-Robinson arrived.

Door County will have unique bays such as Sawyer Harbor and Weborg Point Lagoon, other areas will have other attributes. Ms. Tyner mentioned some sites focus on presentation and pristine while others focus more on rehabilitation. The actual site selection might be as late as spring 2022.

Consideration of: Prospectus and Video Update:

The prospectus can be started by capturing ideas as a bullet point with paragraphs and explanations to follow after the final criteria is received. An example for the training and education point of interest could be Crossroads at Big Creek establishing a restoration program.

Mayor Ward suggested the committee start working on various aspects now. Schools and a consortium of teachers are interested in the NERR. The Committee is looking to get a letter of support from

Sturgeon Bay Schools and State Representative Joel Kitchens, as he sits on the Education Committee and Environmental Committee in the Assembly.

The Committee is looking to also get a letter of support from University of Wisconsin-Oshkosh, as students and staff continue to do lab testing to monitor quality of water at Door County beaches. This lab testing is currently done at Crossroads at Big Creek.

Mr. Peter has also reached out to Ridges Sanctuary and NAOC for their support and explanation of their continued research.

Consideration of: Outreach Strategy Update:

Outreach continues with a newsletter that will be sent next week to businesses and individuals who have submitted letters of support.

Mayor Ward has asked Bret Bicoy, Door County Community Foundation CEO, if the Community Foundation will be NERR's Financial Consultant Campaign assistant, in which their board has agreed. To continue outreach, handout materials will be given to the Community Foundation to distribute when inquiry is made on the NERR.

Ms. Oleson suggested setting up a meeting with Dan Tjernagel, Sturgeon Bay School Superintendent and Joel Kitchens, State Representative for 1st Assembly District.

Mayor Ward has contacted property owners for possible sites, in which one has expressed interest.

Outreach could broaden by giving information to both radio stations in Sturgeon Bay and supplying an insert to Sturgeon Bay Utilities to send out with their utility statements.

Moved by Ms. Hauser, seconded by Mr. Meissner to adjourn. Carried. The meeting adjourned at 9:50 a.m.

Respectfully submitted,



Laurie Spittlemeister,
Deputy Clerk/Treasurer



STURGEON BAY POLICE DEPARTMENT



The mission of the Sturgeon Bay Police Department is to serve, protect, and work in partnership with the community to ensure a safe, nurturing environment.

To: The Honorable Mayor
 Members of the Common Council
 Members of the Police and Fire Commission
 City Administrator Josh VanLieshout

From: Captain Daniel J. Brinkman

Subject: Monthly Report for July, 2021

Date: August 12, 2021

The following is a summary of the Police Department’s activities for the month of July that includes crimes investigated, traffic accidents investigated, training completed, and public education provided by department members.

Crimes Investigated

The Department, during the month, investigated a total of 42 crimes.

These crimes can be broken down and classified as follows.

Disorderly Conduct.....	04
Possess Controlled Substance.....	05
Bail Jump.....	04
Domestic Abuse.....	05
Theft.....	10
Sex Offenses.....	01
Death Investigation.....	03
Fraud.....	04
Battery.....	01
Child Abuse or Neglect.....	02
Internet Crimes against Children.....	01
Threats to Injure.....	02
	TOTAL 42

Arrests

The Department completed a total of 92 arrests during the month. These arrests encompass violations from traffic to felony, and are listed below by type of violations and number of arrests for each category.

A. Felony Crime Arrest

Bail Jumping.....	05
Possess Controlled Substance.....	01
Strangulation Suffocation.....	01
False Imprisonment.....	01
	TOTAL 08

B. Misdemeanor Crime Arrests

Disorderly Conduct.....	06
Bail Jump.....	07
Trespass to Dwelling.....	01
Battery.....	02
Criminal Damage to Property.....	01
Weapon Offense.....	02
Possess Controlled Substance.....	01
Intimidate Victim of Crime.....	01
TOTAL	21

Wisconsin Probation & Parole Arrests / Warrant Arrests.....	06
TOTAL	06

C. Ordinance Violation Arrests

Disorderly Conduct	03
State Boating and Safety Laws	02
Possess Drug Paraphernalia.....	02
Possess Marijuana	02
Retail Theft.....	01
Allow Animal at Large	01
TOTAL	11

D. Traffic Crime Arrests

No Valid Driver's License.....	01
Operate while Revoked.....	02
No Ignition Interlock Device as Required.....	03
TOTAL	06

E. Traffic Violation Arrests

Operate Motor Vehicle while Intoxicated.....	01
Operate Motor Vehicle while Suspended/Revoked.....	03
Speeding.....	20
No Valid Driver's License.....	04
Operate M/V while Intoxicated.....	01
Miscellaneous Violations.....	11
TOTAL	40

In addition to the preceding arrests, the Department conducted a total of 245 traffic stops during the month and logged 78 violations for various motor vehicle defects and local ordinances and issued 66 written warnings for those violations. A total of 00 parking tickets were issued for violations throughout the city.

Traffic Accidents

The Department during the month investigated a total of 17 vehicle accidents. These accidents are categorized into four types.

A.	Motor Vehicle Accidents Involving Fatalities	00
B.	Motor Vehicle Accidents Involving Injuries.....	01
C.	Motor Vehicle Accidents Involving Property Damage	14
	(greater than \$1,000.00)	
D.	Motor Vehicle Accidents Involving Property Damage	02
	(less than \$1,000.00)	
		TOTAL 17

Police Service Calls

Department members handled 537 service calls during the month. These calls consist of both citizen requests for police service as described below (472), crimes investigated (42), traffic accidents investigated (17), and Wisconsin Probation and Parole Assists (06).

A.	Traffic and Road Incidents.....	113
	This category consists of all assignments involving assists to stranded motorists, directing traffic, complaints of noisy or otherwise disorderly vehicles, removing obstructions from roadways, and all parking problem complaints.	
B.	Noise Complaints.....	08
	These complaints involve private parties, licensed liquor establishments, and parties in public places.	
C.	Sick and Injured Persons.....	17
	Assistance rendered to the Ambulance Service and sick or injured persons.	
D.	Alarms.....	22
	Officers responded to activated burglar and hold-up alarms at area banks and other business establishments and residences as well as fire alarms.	
E.	Complaints Involving Animals.....	32
	Investigations by officers of noisy animals, loose animals, animal bites, wild animals and sick, injured or dead animal complaints.	
F.	Civil Disputes.....	06
	Arguments between neighbors, landlords and tenants, and family members where no crimes have been committed.	
G.	Escorts.....	05
	Transporting citizens, money escorts for area financial institutions, funerals, and for area industry and farming.	

H. Citizen Assist38

This category is broad and involves such services as assistance in gas drive-off, emergency notifications, attempts to locate people, retrieval of personal property, and vehicle registration assistance.

I. Assistance Rendered to Other Agencies..... 10

Includes assistance to other law enforcement and government agencies.

J. Suspicious Person / Vehicle Circumstance30

Involves both citizen complaints and observations by officers on patrol who took investigative action in regard to the suspicious behavior of vehicles and people.

K. Self-Initiated Field Activity.....02

All initiated activity by the officer to include, but not limited to, routine security checks of area industries, businesses, city parks, residences, and compliance checks of local liquor establishments.

L. Juvenile Problems09

Requests for police service that strictly involve property calls and all unfounded calls for police service. The calls vary from mischief to family problems to runaway situations.

M. Miscellaneous Incidents 154

Includes arrest warrants served, recovered property calls, unfounded calls for police service and minor calls for police service. This category includes 9-1-1 calls investigated by Department members during the month.

N. Welfare Checks26

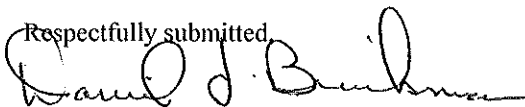
Includes calls to check on the well-being of a person who has not been heard from or seen for a period of time by family, friends, neighbors, or employers.

TOTAL 472

Department Training

The Joint SWAT Team and Dive Team completed their monthly training.

Respectfully submitted,



Assistant Chief Daniel J. Brinkman



Kalin Montevideo
Assistant Fire Chief

CITY of STURGEON BAY FIRE DEPARTMENT

421 Michigan St
Sturgeon Bay, WI 54235

920-746-2916 Station 920-746-2448 Office
Email: kmontevideo@sturgeonbaywi.org

STURGEON BAY FIRE DEPARTMENT JULY 2021 FIRE REPORT

JULY INCIDENTS: 175
2021 TOTAL INCIDENTS: 938

INCIDENTS BY JURISDICTION:

AVERAGE RESPONSE TIME:

CITY - East Side: 106 Year to Date: 601 EMERGENT: 4.06 Minutes NON-EMERGENT: 5.03 Minutes
91 – Medical Incident 01 – Vehicle Accident 02 – Smoke Scare/Odor of Smoke
01 – Vehicle Fire 01 – Elevator Extrication 09 – Alarm/Detector Activation, No Fire
01 – Outside/Brush/Grass Fire

CITY - West Side: 41 Year to Date: 237 EMERGENT: 4.29 Minutes NON-EMERGENT: 4.31 Minutes
31 – Medical Incident 01 – Smoke/Odor Removal 01 – Alarm/Detector Activation, No Fire
01 – Gas Leak 04 – Water Related Rescue 03 – Assist Law Enforcement/Gvmt Agency

Town of Sevastopol: 17 Year to Date: 51 EMERGENT: 12.13 Minutes NON-EMERGENT: 14.45 Minutes
01 – Medical Incident 01 – Vehicle Accident 02 – Outside/Brush/Grass Fire
03 – Water Related Rescue 01 – Power Line Down 01 – Animal Rescue
01 – Chimney Fire 01 – Extrication Rescue 01 – Assist Law Enforcement/Gvmt Agency
01 – Off Road/Heavy Equip Fire 01 – Smoke Scare/Odor of Smoke 03 – Alarm/Detector Activation, No Fire

Town of Sturgeon Bay: 08 Year to Date: 346 EMERGENT: 8.45 Minutes NON-EMERGENT: 9.34 Minutes
06 – Medical Incident 01 – Vehicle Accident 01 – Assist Law Enforcement/Gvmt Agency

MUTUAL AID/MABAS INCIDENTS

Southern Door: 02 Year to Date: 07
01 – Search for Person 01 – Medical Incident

Brussels, Union, Gardner: 01 Year to Date: 04
01 – Structure Fire

Gibraltar: 0 Year to Date: 01

Sister Bay/Liberty Grove: 0 Year to Date: 01

Jacksonport: 0 Year to Date: 01

Egg Harbor: 0 Year to Date: 01

INPECTION REPORT:

	<u>Regular Inspections</u>	<u>Re Inspections</u>	<u>Occupancy Inspections</u>	<u>Hours</u>
Inspections – City of Sturgeon Bay:	<u>122</u>	<u>27</u>	<u>01</u>	<u>110.49</u>
Inspections – Town of Sevastopol:	<u>32</u>	<u>0</u>	<u>01</u>	<u>22.71</u>
Inspections – Town of Sturgeon Bay:	<u>01</u>	<u>0</u>	<u>0</u>	<u>.58</u>
Inspections – Town of Jacksonport:	<u>04</u>	<u>0</u>	<u>01</u>	<u>1.85</u>

Sevastopol Burn Permit:

Permits Issued for Month: 01

Year to Date Permits Issued: 57

SPECIAL REPORTS, TRAINING AND MAINTENANCE

MAINTENANCE:

Firefighters conducted maintenance and repair on SCBA units; cleaned and painted areas of Eastside Station, and installed equipment for the floor refinish job; painted bollards and installed new hose reels at the Eastside Station; repaired a cabinet in the dayroom; assisted DPW with removing a shallow bouy at Sawyer Park; repaired fire hose; charged Marine 1 fire pump battery and repaired the primer cable; put up additional heat shields in the burn box at the training site; greased the bearings on the boat trailer; repaired the oil pump hose; completed the stairs to the 3rd box along with the repelling stairway and platform at the Training Site.

TRAINING:

244.92 hours of training were conducted in July. Firefighters trained with driver/operator procedures; scene size up; shipboard firefighting procedures; pre-incident planning; live fire attack; sprinkler/standpipe operations; rope and rescue equipment/techniques and AC Montevideo attended a webinar for preparation of a Fire Investigation training in August; .

OTHER:

Fire Chief and AC attended City and other Town meetings; installed three (3) car seats and firefighters presented fire safety/extinguisher demos for employees at Cardinal Ridge.

CHECKING ACCOUNTSJULY 2021 BANK RECONCILIATIONINVESTMENT ACCOUNTS

GENERAL FUND		ARPA
NICOLET		NICOLET
PRIOR G/L BALANCE	2,811,216.70	0.00
REVENUE	1,635,882.41	467,564.04
DISBURSEMENTS	3,097,737.95	0.00
AMOUNT IN TRANSIT	11,915.52	0.00
ADJUSTMENTS	10,630.19	0.00
ENDING BALANCE	1,348,075.83	467,564.04

GENERAL/CAPITAL FUND		INVESTMENTS
PRIOR G/L BALANCE	254,913.75	
REVENUE	327.45	
DISBURSEMENTS	338.37	
AMOUNT IN TRANSIT	0.00	
ADJUSTMENTS	0.00	
ENDING BALANCE	254,902.83	

BANK BALANCE	1,682,813.26	467,564.04
LESS OUTS, CHECKS	334,737.43	0.00
	1,348,075.83	467,564.04

	254,902.83	
	0.00	
	254,902.83	

SAVINGS ACCOUNTS

GENERAL FUND		GENERAL FUND	CAPITAL - BUILDING DEBT	CAPITAL PROJECTS	CAPITAL PROJECTS DEBT	TIF #3 CONSTRUCTION	TIF #3 DEBT
STATE - #2		NICOLET BANK - MMBI	STATE - #9	STATE #13	STATE #15	STATE - #14	STATE - #08
PRIOR G/L BALANCE	6,572,346.58	20,134.38	6,324.87	470,153.21	136,341.01	15,388.60	857,263.66
REVENUE	592.53	0.17	0.24	18.18	5.27	0.60	33.15
DISBURSEMENTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
AMOUNT IN TRANSIT	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ADJUSTMENTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ENDING BALANCE	6,572,939.11	20,134.55	6,325.11	470,171.39	136,346.28	15,389.20	857,296.81

BANK BALANCE	6,572,939.11	20,134.55	6,325.11	470,171.39	136,346.28	15,389.20	857,296.81
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TIF #1 DEBT		TIF #2	TIF #2 DEBT 98A&B	TIF #2 AMENDED AREA	TIF #2 AMENDED AREA	TIF #4 DEBT SVC	TID #4 CONSTRUCTION
STATE - #11		STATE - #3	STATE - #10	CONST - STATE - #06	CAP. INT. - STATE - #7	STATE - #12	STATE - #01
PRIOR G/L BALANCE	1,066,620.20	13,317.91	4,076,508.26	56,264.31	44,603.61	75,194.57	130,541.34
REVENUE	41.25	0.51	157.63	2.18	1.72	2.91	5.05
DISBURSEMENTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
AMOUNT IN TRANSIT	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ADJUSTMENTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ENDING BALANCE	1,066,661.45	13,318.42	4,076,665.89	56,266.49	44,605.33	75,197.48	130,546.39

BANK BALANCE	1,066,661.45	13,318.42	4,076,665.89	56,266.49	44,605.33	75,197.48	130,546.39
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8/18/2021

FOR FUND: GENERAL FUND
FOR 7 PERIODS ENDING JULY 31, 2021

8c4.

DEPARTMENT DESCRIPTION	JULY		%	FISCAL		%
	BUDGET	ACTUAL		YEAR-TO-DATE BUDGET	ANNUAL BUDGET	
REVENUES	13,011,245.00	691,229.09	(94.6)	13,011,245.00	13,011,245.00	(43.8)
GENERAL FUND						
TOTAL REVENUES	13,011,245.00	691,229.09	(94.6)	13,011,245.00	13,011,245.00	(43.8)
EXPENSES						
GENERAL FUND	1,165,775.00	1,365.39	99.8	1,240,775.00	1,303,275.00	90.9
MAYOR	12,885.00	915.02	92.8	12,885.00	12,885.00	50.2
CITY COUNCIL	71,420.00	4,995.54	93.0	71,420.00	71,420.00	47.4
LAW/LEGAL	86,000.00	5,513.50	93.5	86,000.00	86,000.00	54.9
CITY CLERK-TREASURER	450,630.00	34,413.13	92.3	450,630.00	450,630.00	44.4
ADMINISTRATION	180,040.00	14,702.10	91.8	180,040.00	180,040.00	43.4
COMPUTER	121,750.00	11,562.67	90.5	121,750.00	121,750.00	44.7
CITY ASSESSOR	89,708.33	4,916.67	94.5	89,708.33	89,800.00	54.6
BOARD OF REVIEW	1,520.00	0.00	100.0	1,520.00	1,520.00	100.0
BUILDING/ZONING CODE ENFORCEM	104,505.00	11,078.81	89.3	104,505.00	104,505.00	41.8
MUNICIPAL SERVICES ADMIN.	241,535.00	18,588.81	92.3	241,535.00	241,535.00	45.1
PUBLIC WORKS ADMINISTRATION	232,335.00	18,247.15	92.1	232,335.00	232,335.00	45.4
ELECTIONS DEPARTMENT	27,180.00	0.00	100.0	27,180.00	27,180.00	52.6
CITY HALL	165,715.00	23,793.43	85.6	165,715.00	165,715.00	44.0
INSURANCE	288,290.00	20,199.00	92.9	288,290.00	288,290.00	32.4
GENERAL EXPENDITURES	1,482,665.00	2,510.91	99.8	1,482,665.00	1,482,665.00	95.9
POLICE DEPARTMENT	472,875.00	35,424.92	92.5	472,875.00	472,875.00	46.6
PATROL BOAT	15,310.00	2,058.95	86.5	15,310.00	15,310.00	75.9
PARKING ENFORCEMENT	0.00	0.00	0.0	0.00	0.00	0.0
POLICE DEPARTMENT/PATROL	2,301,730.00	173,910.01	92.4	2,301,730.00	2,301,730.00	44.4
POLICE DEPT. / INVESTIGATIONS	294,740.00	15,235.62	94.8	294,740.00	294,740.00	68.1
FIRE DEPARTMENT	2,055,590.00	171,777.78	91.6	2,055,590.00	2,055,590.00	46.0
STORM SEWERS	36,110.00	3,067.45	91.5	36,110.00	36,110.00	41.0
LARGE ITEM PICKUP / LEAF COLL	53,845.00	0.00	100.0	53,845.00	53,845.00	98.8
COMPOST/SOLID WASTE SITE	0.00	0.00	0.0	0.00	0.00	0.0
STREET SWEEPING	43,675.00	7,259.10	83.3	43,675.00	43,675.00	51.0
WEED ABATEMENT	4,005.00	13.42	99.6	4,005.00	4,005.00	93.9
ROADWAYS/STREETS	241,115.00	10,629.62	95.5	241,115.00	241,115.00	59.5
SNOW REMOVAL	223,000.00	3,203.98	98.5	223,000.00	223,000.00	55.3
STREET SIGNS AND MARKINGS	52,375.00	2,013.68	96.1	52,375.00	52,375.00	78.9
CURB/GUTTER/SIDEWALK	24,365.00	3,404.18	86.0	24,365.00	24,365.00	47.7
STREET MACHINERY	215,050.00	9,676.94	95.5	215,050.00	215,050.00	65.1
CITY GARAGE	64,590.00	2,806.27	95.6	64,590.00	64,590.00	47.7
CELEBRATION & ENTERTAINMENT	43,020.00	310.39	99.2	43,020.00	43,020.00	39.7
HIGHWAYS - GENERAL	492,000.00	47,014.72	90.4	492,000.00	492,000.00	49.8
PARK & RECREATION ADMIN	104,785.00	10,657.75	89.8	104,785.00	104,785.00	48.0
PARKS AND PLAYGROUNDS	514,830.00	52,772.14	89.7	514,830.00	514,830.00	48.2
BALLFIELDS	29,520.00	564.87	98.0	29,520.00	29,520.00	76.7

8c4.

CITY OF STURGEON BAY
 SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: GENERAL FUND
 FOR 7 PERIODS ENDING JULY 31, 2021

DEPARTMENT DESCRIPTION	JULY		% VARI- ANCE	FISCAL YEAR-TO-DATE		ANNUAL BUDGET	FISCAL YEAR-TO-DATE		% VARI- ANCE
	BUDGET	ACTUAL		BUDGET	ACTUAL				
EXPENSES									
ICE RINKS	12,130.00	0.00	100.0	12,130.00	12,130.00	6,365.74	47.5		
BEACHES	5,400.00	223.90	95.8	5,400.00	5,400.00	223.90	95.8		
MUNICIPAL DOCKS	48,780.00	4,507.59	90.7	48,780.00	48,780.00	12,532.58	74.3		
WATER WEED MANAGEMENT	86,115.00	24,304.75	71.7	86,115.00	86,115.00	30,010.59	65.1		
WATERFRONT PARKS & WALKWAYS	77,365.00	10,421.08	86.5	77,365.00	77,365.00	45,509.29	41.1		
EMPLOYEE BENEFITS	44,700.00	1,433.20	96.7	44,700.00	44,700.00	23,401.60	47.6		
PUBLIC FACILITIES	81,000.00	0.00	100.0	81,000.00	81,000.00	35,518.47	56.1		
BOARDS AND COMMISSIONS	880.00	53.85	93.8	880.00	880.00	219.25	75.0		
COMMUNITY & ECONOMIC DEVLPMT	419,460.00	23,941.21	94.2	419,460.00	419,460.00	205,552.92	50.9		
TOTAL EXPENSES	12,780,313.33	789,489.46	93.8	12,855,363.31	12,917,905.00	5,415,035.93	58.0		
TOTAL FUND REVENUES									
	13,011,245.00	691,229.09	(94.6)	13,011,245.00	13,011,245.00	7,304,286.78	(43.8)		
TOTAL FUND EXPENSES	12,780,313.33	789,489.46	93.8	12,855,363.31	12,917,905.00	5,415,035.93	58.0		
SURPLUS (DEFICIT)	230,931.67	(98,260.37)	(142.5)	155,881.69	93,340.00	1,889,250.85	1924.0		

CITY OF STORGEON BAY
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: CAPITAL FUND
FOR 7 PERIODS ENDING JULY 31, 2021

DEPARTMENT DESCRIPTION	JULY		%	FISCAL		%
	BUDGET	ACTUAL		YEAR-TO-DATE BUDGET	ANNUAL BUDGET	
REVENUES	2,729,375.00	7,743.39	(99.7)	2,729,375.00	2,729,375.00	527,333.83 (80.6)
PATROL						
TOTAL REVENUES	2,729,375.00	7,743.39	(99.7)	2,729,375.00	2,729,375.00	527,333.83 (80.6)
EXPENSES						
CITY CLERK-TREASURER	0.00	0.00	0.0	0.00	0.00	0.00 0.0
ADMINISTRATION	0.00	0.00	0.0	0.00	0.00	0.00 0.0
COMPUTER	29,500.00	0.00	100.0	29,500.00	29,500.00	14,500.00 50.8
CITY ASSESSOR	5,000.00	0.00	100.0	5,000.00	5,000.00	0.00 0.0
MUNICIPAL SERVICES ADMIN.	0.00	0.00	0.0	0.00	0.00	0.00 0.0
ELECTIONS	0.00	0.00	0.0	0.00	0.00	0.00 0.0
CITY HALL	454,583.34	25,139.80	94.4	542,083.30	615,000.00	275,663.52 55.1
GENERAL EXPENDITURES	15,000.00	583,764.88	(3791.7)	15,000.00	15,000.00	863,015.47 (5653.4)
POLICE DEPARTMENT	0.00	0.00	0.0	0.00	0.00	0.00 0.0
PATROL BOAT	0.00	0.00	0.0	0.00	0.00	0.00 0.0
PATROL	238,735.00	0.00	100.0	238,735.00	238,735.00	113,397.01 52.5
POLICE DEPT. / INVESTIGATIONS	0.00	0.00	0.0	0.00	0.00	0.00 0.0
FIRE DEPARTMENT	34,800.00	897.00	97.4	34,800.00	34,800.00	69,789.47 (100.5)
STORM SEWERS	70,000.00	0.00	100.0	70,000.00	70,000.00	5,531.72 92.0
SOLID WASTE MGMT/REFUSE/RECYC	0.00	0.00	0.0	0.00	0.00	0.00 0.0
SOLID WASTE MGMT/SPRING/FALL	0.00	0.00	0.0	0.00	0.00	0.00 0.0
ROADWAYS/STREETS	1,090,000.00	251.21	99.9	1,090,000.00	1,090,000.00	394,142.69 63.8
SNOW REMOVAL	0.00	0.00	0.0	0.00	0.00	0.00 0.0
CURB/GUTTER/SIDEWALK	132,500.00	0.00	100.0	132,500.00	132,500.00	115,850.11 12.5
CITY GARAGE	15,000.00	0.00	100.0	15,000.00	15,000.00	16,543.79 (10.2)
PARKS AND PLAYGROUNDS	288,430.00	89,125.00	69.0	288,430.00	288,430.00	101,316.37 64.8
BALLFIELDS	0.00	0.00	0.0	0.00	0.00	0.00 0.0
ICE RINKS	0.00	0.00	0.0	0.00	0.00	0.00 0.0
BEACHES	166.67	0.00	100.0	1,166.65	2,000.00	0.00 100.0
MUNICIPAL DOCKS	50,500.00	0.00	100.0	50,500.00	50,500.00	0.00 100.0
WATER WEED MANAGEMENT	0.00	0.00	0.0	0.00	0.00	0.00 0.0
WATERFRONT PARKS & WALKWAYS	115,000.00	0.00	100.0	115,000.00	115,000.00	5,435.50 95.2
SANITARY & WATER MAIN	0.00	0.00	0.0	0.00	0.00	0.00 0.0
PUBLIC FACILITIES	14,910.00	0.00	100.0	14,910.00	14,910.00	0.00 100.0
COMMUNITY & ECONOMIC DEVLPMT	0.00	0.00	0.0	0.00	0.00	0.00 0.0
TOTAL EXPENSES	2,554,125.01	699,177.89	72.6	2,642,624.95	2,716,375.00	1,975,185.65 27.2
TOTAL FUND REVENUES	2,729,375.00	7,743.39	(99.7)	2,729,375.00	2,729,375.00	527,333.83 (80.6)
TOTAL FUND EXPENSES	2,554,125.01	699,177.89	72.6	2,642,624.95	2,716,375.00	1,975,185.65 27.2
SURPLUS (DEFICIT)	175,249.99	(691,434.50)	(494.5)	86,750.05	13,000.00	(1,447,851.82) (1237.3)

FOR FUND: ARPA -AMERICAN RESCUE PLAN ACT
 FOR 7 PERIODS ENDING JULY 31, 2021

DEPARTMENT DESCRIPTION	JULY		JULY		FISCAL YEAR-TO-DATE BUDGET	FISCAL YEAR-TO-DATE ACTUAL		% VARI- ANCE
	BUDGET	ACTUAL	ACTUAL	VARI- ANCE		ACTUAL	VARI- ANCE	
REVENUES								
ARPA / GENERAL	0.00	9.61	100.0		0.00	467,564.04	100.0	
TOTAL REVENUES	0.00	9.61	100.0		0.00	467,564.04	100.0	

CITY OF STURGEON BAY
 SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: CABLE TV
 FOR 7 PERIODS ENDING JULY 31, 2021

DEPARTMENT DESCRIPTION	JULY BUDGET	JULY ACTUAL	% VARI- ANCE	FISCAL YEAR-TO-DATE BUDGET	ANNUAL BUDGET	FISCAL YEAR-TO-DATE ACTUAL	% VARI- ANCE
REVENUES							
CABLE TV / GENERAL	123,057.08	28,522.20	(76.8)	138,219.56	150,855.00	123,583.87	(18.0)
TOTAL REVENUES	123,057.08	28,522.20	(76.8)	138,219.56	150,855.00	123,583.87	(18.0)
EXPENSES							
CABLE TV / GENERAL	112,625.00	5,856.32	94.8	112,625.00	112,625.00	84,866.50	24.6
TOTAL EXPENSES	112,625.00	5,856.32	94.8	112,625.00	112,625.00	84,866.50	24.6
TOTAL FUND REVENUES	123,057.08	28,522.20	(76.8)	138,219.56	150,855.00	123,583.87	(18.0)
TOTAL FUND EXPENSES	112,625.00	5,856.32	94.8	112,625.00	112,625.00	84,866.50	24.6
SURPLUS (DEFICIT)	10,432.08	22,665.88	117.2	25,594.56	38,230.00	38,717.37	1.2

FOR FUND: TOURISM FUND
 FOR 7 PERIODS ENDING JULY 31, 2021

DEPARTMENT DESCRIPTION	JULY		JULY		VARI- ANCE	FISCAL YEAR-TO-DATE		FISCAL YEAR-TO-DATE		VARI- ANCE
	BUDGET		ACTUAL			BUDGET		ACTUAL		
REVENUES										
TOURISM COMMITTEE / GENERAL	0.00		0.00		0.0	0.00		0.00		0.0
TOTAL REVENUES	0.00		0.00		0.0	0.00		0.00		0.0
EXPENSES										
TOURISM COMMITTEE / GENERAL	0.00		0.00		0.0	0.00		0.00		0.0
TOTAL EXPENSES	0.00		0.00		0.0	0.00		0.00		0.0
TOTAL FUND REVENUES	0.00		0.00		0.0	0.00		0.00		0.0
TOTAL FUND EXPENSES	0.00		0.00		0.0	0.00		0.00		0.0
SURPLUS (DEFICIT)	0.00		0.00		0.0	0.00		0.00		0.0

FOR FUND: TID #2 DISTRICT
 FOR 7 PERIODS ENDING JULY 31, 2021

DEPARTMENT DESCRIPTION	JULY		%	FISCAL		FISCAL	
	BUDGET	ACTUAL		YEAR-TO-DATE BUDGET	ANNUAL BUDGET	YEAR-TO-DATE ACTUAL	% VARI- ANCE
REVENUES							
TID DISTRICT #2	2,610,230.00	5,271.53	(99.7)	2,610,230.00	2,610,230.00	1,256,346.09	(51.8)
TOTAL REVENUES	2,610,230.00	5,271.53	(99.7)	2,610,230.00	2,610,230.00	1,256,346.09	(51.8)
EXPENSES							
TID DISTRICT #2	1,976,242.00	0.00	100.0	1,976,242.00	1,976,242.00	215,805.10	89.0
TOTAL EXPENSES	1,976,242.00	0.00	100.0	1,976,242.00	1,976,242.00	215,805.10	89.0
TOTAL FUND REVENUES	2,610,230.00	5,271.53	(99.7)	2,610,230.00	2,610,230.00	1,256,346.09	(51.8)
TOTAL FUND EXPENSES	1,976,242.00	0.00	100.0	1,976,242.00	1,976,242.00	215,805.10	89.0
SURPLUS (DEFICIT)	633,988.00	5,271.53	(99.1)	633,988.00	633,988.00	1,040,540.99	64.1

FOR FUND: TID #1 DISTRICT
 FOR 7 PERIODS ENDING JULY 31, 2021

DEPARTMENT DESCRIPTION	JULY BUDGET	JULY ACTUAL	% VARI- ANCE	FISCAL YEAR-TO-DATE BUDGET	ANNUAL BUDGET	FISCAL YEAR-TO-DATE ACTUAL	% VARI- ANCE
REVENUES							
TID #1 DISTRICT	941,158.00	28,112.44	(97.0)	941,158.00	941,158.00	693,215.28	(26.3)
TOTAL REVENUES	941,158.00	28,112.44	(97.0)	941,158.00	941,158.00	693,215.28	(26.3)
EXPENSES							
TID #1 DISTRICT	888,298.00	0.00	100.0	888,298.00	888,298.00	0.00	100.0
TOTAL EXPENSES	888,298.00	0.00	100.0	888,298.00	888,298.00	0.00	100.0
TOTAL FUND REVENUES	941,158.00	28,112.44	(97.0)	941,158.00	941,158.00	693,215.28	(26.3)
TOTAL FUND EXPENSES	888,298.00	0.00	100.0	888,298.00	888,298.00	0.00	100.0
SURPLUS (DEFICIT)	52,860.00	28,112.44	(46.8)	52,860.00	52,860.00	693,215.28	1211.4

FOR FUND: TID #3 DISTRICT
 FOR 7 PERIODS ENDING JULY 31, 2021

DEPARTMENT DESCRIPTION	JULY	JULY	VARI- ANCE	FISCAL YEAR-TO-DATE BUDGET	ANNUAL BUDGET	FISCAL YEAR-TO-DATE ACTUAL	VARI- ANCE
	BUDGET	ACTUAL					
REVENUES							
TID #3 DISTRICT	61,841.00	33.75	(99.9)	61,841.00	61,841.00	44,128.81	(28.6)
TOTAL REVENUES	61,841.00	33.75	(99.9)	61,841.00	61,841.00	44,128.81	(28.6)
EXPENSES							
TID #3 DISTRICT	126,796.00	0.00	100.0	126,796.00	126,796.00	23,268.75	81.6
TOTAL EXPENSES	126,796.00	0.00	100.0	126,796.00	126,796.00	23,268.75	81.6
TOTAL FUND REVENUES	61,841.00	33.75	(99.9)	61,841.00	61,841.00	44,128.81	(28.6)
TOTAL FUND EXPENSES	126,796.00	0.00	100.0	126,796.00	126,796.00	23,268.75	81.6
SURPLUS (DEFICIT)	(64,955.00)	33.75	(100.0)	(64,955.00)	(64,955.00)	20,860.06	(132.1)

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CITY OF STORGEON BAY
SUMMARIZED REVENUE & EXPENSE REPORT

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FOR FUND: TID #4 DISTRICT
FOR 7 PERIODS ENDING JULY 31, 2021

DEPARTMENT DESCRIPTION	JULY		% VARI- ANCE	FISCAL YEAR-TO-DATE		ANNUAL BUDGET	FISCAL YEAR-TO-DATE		% VARI- ANCE
	BUDGET	ACTUAL		BUDGET	ACTUAL				
REVENUES									
TID #4 DISTRICT	1,906,605.33	15.69	(99.9)	1,953,275.31	1,992,167.00	108,579.04	(94.5)		
TOTAL REVENUES	1,906,605.33	15.69	(99.9)	1,953,275.31	1,992,167.00	108,579.04	(94.5)		
EXPENSES									
TID #4 DISTRICT	0.00	0.00	0.0	0.00	0.00	0.00	0.0		
TID #4 DISTRICT	2,067,848.33	323,254.23	84.3	2,119,648.31	2,162,815.00	1,134,140.79	47.5		
TOTAL EXPENSES	2,067,848.33	323,254.23	84.3	2,119,648.31	2,162,815.00	1,134,140.79	47.5		
TOTAL FUND REVENUES	1,906,605.33	15.69	(99.9)	1,953,275.31	1,992,167.00	108,579.04	(94.5)		
TOTAL FUND EXPENSES	2,067,848.33	323,254.23	84.3	2,119,648.31	2,162,815.00	1,134,140.79	47.5		
SURPLUS (DEFICIT)	(161,243.00)	(323,238.54)	100.4	(166,373.00)	(170,648.00)	(1,025,561.75)	500.9		

FOR FUND: REVOLVING LOAN FUND (STATE)
 FOR 7 PERIODS ENDING JULY 31, 2021

DEPARTMENT DESCRIPTION	JULY		% VARI- ANCE	FISCAL YEAR-TO-DATE		ANNUAL BUDGET	FISCAL YEAR-TO-DATE		% VARI- ANCE
	BUDGET	ACTUAL		BUDGET	ACTUAL				
REVENUES									
REVOLVING LOAN FUND (STATE)	0.00	0.00	0.0	0.00	0.00	0.00	1.74	100.0	
TOTAL REVENUES	0.00	0.00	0.0	0.00	0.00	0.00	1.74	100.0	
EXPENSES									
REVOLVING LOAN FUND (STATE)	0.00	0.00	0.0	0.00	0.00	0.00	1.74	100.0	
TOTAL EXPENSES	0.00	0.00	0.0	0.00	0.00	0.00	1.74	100.0	
TOTAL FUND REVENUES	0.00	0.00	0.0	0.00	0.00	0.00	1.74	100.0	
TOTAL FUND EXPENSES	0.00	0.00	0.0	0.00	0.00	0.00	1.74	100.0	
SURPLUS (DEFICIT)	0.00	0.00	0.0	0.00	0.00	0.00	0.00	0.0	

CITY OF STURGEON BAY
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: SOLID WASTE ENTERPRISE
FOR 7 PERIODS ENDING JULY 31, 2021

DEPARTMENT DESCRIPTION	JULY		%	FISCAL		FISCAL	%
	BUDGET	ACTUAL		YEAR-TO-DATE BUDGET	ANNUAL BUDGET	YEAR-TO-DATE ACTUAL	
REVENUES							
SOLID WASTE ENTERPRISE FUND	1,333,365.00	4,674.39	(99.6)	1,333,365.00	1,333,365.00	311,998.87	(76.6)
TOTAL REVENUES	1,333,365.00	4,674.39	(99.6)	1,333,365.00	1,333,365.00	311,998.87	(76.6)
EXPENSES							
SOLID WASTE ENTERPRISE FUND	638,480.42	26,389.93	95.8	1,021,342.86	1,340,395.00	232,312.37	82.6
TOTAL EXPENSES	638,480.42	26,389.93	95.8	1,021,342.86	1,340,395.00	232,312.37	82.6
TOTAL FUND REVENUES	1,333,365.00	4,674.39	(99.6)	1,333,365.00	1,333,365.00	311,998.87	(76.6)
TOTAL FUND EXPENSES	638,480.42	26,389.93	95.8	1,021,342.86	1,340,395.00	232,312.37	82.6
SURPLUS (DEFICIT)	694,884.58	(21,715.54)	(103.1)	312,022.14	(7,030.00)	79,686.50	(1233.5)

FOR FUND: COMPOST SITE ENTERPRISE FUND
 FOR 7 PERIODS ENDING JULY 31, 2021

DEPARTMENT DESCRIPTION	JULY		% VARI- ANCE	FISCAL YEAR-TO-DATE		ANNUAL BUDGET	FISCAL YEAR-TO-DATE		% VARI- ANCE
	BUDGET	ACTUAL		BUDGET	ACTUAL		ACTUAL	ANCE	
REVENUES									
COMPOST SITE ENTERPRISE FUND	15,567.50	25,340.96	62.7	84,972.46	142,810.00		71,371.53	(50.0)	
TOTAL REVENUES	15,567.50	25,340.96	62.7	84,972.46	142,810.00		71,371.53	(50.0)	
EXPENSES									
COMPOST SITE ENTERPRISE FUND	5,807.09	6,189.76	(6.5)	40,649.31	69,685.00		30,985.51	55.5	
TOTAL EXPENSES	5,807.09	6,189.76	(6.5)	40,649.31	69,685.00		30,985.51	55.5	
TOTAL FUND REVENUES	15,567.50	25,340.96	62.7	84,972.46	142,810.00		71,371.53	(50.0)	
TOTAL FUND EXPENSES	5,807.09	6,189.76	(6.5)	40,649.31	69,685.00		30,985.51	55.5	
SURPLUS (DEFICIT)	9,760.41	19,151.20	96.2	44,323.15	73,125.00		40,386.02	(44.7)	

CITY OF STURGEON BAY
SUMMARIZED REVENUE & EXPENSE REPORT

MUNICIPAL REPORT TOTALS
FOR 7 PERIODS ENDING JULY 31, 2021

DEPARTMENT DESCRIPTION	JULY BUDGET	JULY ACTUAL	% VARI- ANCE	FISCAL		FISCAL	
				YEAR-TO-DATE BUDGET	ANNUAL BUDGET	YEAR-TO-DATE ACTUAL	% VARI- ANCE
TOTAL MUNICIPAL REVENUES	22,732,443.91	790,953.05	(96.5)	22,863,681.33	22,973,046.00	10,908,409.88	(52.5)
TOTAL MUNICIPAL EXPENSES	21,150,535.18	1,850,357.59	91.2	21,783,589.74	22,311,136.00	9,111,602.34	59.1
SURPLUS (DEFICIT)	1,581,908.73	(1,059,404.54)	(166.9)	1,080,091.59	661,910.00	1,796,807.54	171.4

BEVERAGE OPERATOR LICENSES

1. Alberts, Amy L.
2. Baker, Renee L.
3. Barrett, Susan M.
4. Bournoville, Derrick L.
5. Chaudoir, Katrina M.
6. Dahms, Kayla M.
7. Enwall, William J.
8. Faulds, Katherine T.
9. Gorsuch, Melissa M.
10. Gossen, Troy A.
11. Gossen, Stephanie F.
12. Johnson, Nicole I.
13. Jolicoeur, Danielle L.
14. Jones, Jennifer J.
15. Keller, Cassidy L.
16. Langfeldt, Dawn M.
17. LaVine, Lance L.
18. Moore, Kimberly J.
19. Neu, Adam R.
20. Pigeon, Garrett, M.
21. Richardt, Lori A.
22. Scholze, Gina M.

**CITY OF STURGEON BAY
STREET CLOSURE APPLICATION**

Name of Applicant: Sunshine House Inc.
 Name of Event: Sunflower Fest
 Contact Phone #: 920-255-0360 - Jeremy
 Date(s) of Event: 9/11/21 Time: 10 am - 5pm
 Estimated # of Attendees: 1000 - 1500
 Specific Location: Pennsylvania Ave from 2nd St to 3rd Ave next to Martin Park

- ☒ Attach map of requested street closure area including barricades location, tent/booth location, or any street obstruction. The map must be in final form.
- ☒ Attach Certificate of Insurance with the City listed as ADDITIONAL INSURED. Limits as follows: Commercial General Liability - \$1,000,000 each occurrence limit; Fire Damage Limit - \$50,000 any one fire; Medical Expense Limit - \$5,000 any one person; and Workers Compensation - As required by the State of Wisconsin.
- ☒ Temporary Beer and/or Wine license has been applied for, approximately four weeks prior to the event date, by a qualified organization and fee paid. (If applicable.)
- ☒ Hold Harmless Agreement has been signed of Officer(s) of Event/Organization.
- ☒ Agreement for Reimbursement of Expenses has been signed by Officer(s) of Event/Organization.
- ☒ If tents larger than 20 x 20 are used, must agree to contact the Fire Department for inspection, prior to event.

What arrangements are made for clean up? SHI will be responsible for cleanup

Other comments or explanation: Asking for street closure for safety around kids activities

Signature of Responsible Party: [Signature]

Address: 55 W. 1st St Sturgeon Bay, WI 54235

Date Submitted: August 10, 2021

(Street Closure applications may not be submitted/approved more than 90 days in advance of event date.)

Approval:	Fire Chief: <u>[Signature]</u>	Date: <u>8-10-21</u>
	Police Chief: <u>[Signature]</u>	Date: <u>8-11-21</u>
	Comm. Dev: <u>[Signature]</u>	Date: <u>8-12-21</u>
	Streets/Parks: <u>[Signature]</u>	Date: <u>8-12-21</u>
	City Clerk: <u>[Signature]</u>	Date: <u>8/31/21</u>
	Finance Dir: <u>[Signature]</u>	Date: <u>8/17/21</u>
	City Engineer: <u>[Signature]</u>	Date: <u>8-12-21</u>
	City Admin: <u>[Signature]</u>	Date: <u>8/19/21</u>

Common Council Approval Date: _____

☐ Copy of Approved Street Closure Application sent to EMS Director.

HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

The undersigned certifies that he or she is a duly authorized agent of Sunshine House Inc, and is duly empowered and authorized to execute this hold harmless and indemnification agreement on behalf of the above referenced party.

The undersigned in consideration of being allowed to use City property to Host Sunflower Fest Event, which shall encroach in the public right-of-way adjacent to property located at Pennsylvania Ave between 2nd+3rd, do hereby release, acquit, and forever discharge the City of Sturgeon Bay, its officers, agents, and employees (hereinafter known as City), from any and all actions, causes of action, claims, demands, costs, expenses and compensation related to property damages, personal injury or death arising out of any accident or occurrence while maintaining said encroachment in the public right-of-way. The undersigned further agrees to hold harmless and defend the City from any claims or actions arising from said event as an encroachment in the public right-of-way.

The undersigned agrees that as a condition of the City approving the use as an encroachment in the public right-of-way, it will maintain usage, and continue to provide a minimum of six foot unobstructed area for public use and passage in said public right-of-way.

Dated this 10 day of August, 2021.

By: [Signature]

By: _____

**CITY OF STURGEON BAY
AGREEMENT FOR REIMBURSEMENT OF EXPENSES**

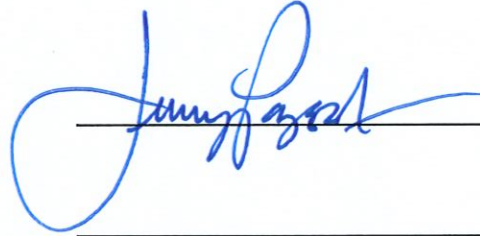
WHEREAS the City of Sturgeon Bay has created Section 3.035 of the Municipal Code authorizing the City Clerk - Treasurer to charge for reimbursement of legal, consulting, incidental, and special events expenses incurred on behalf of and/or for the benefit of third parties for services rendered by the City of Sturgeon Bay;

AND WHEREAS the undersigned has requested services and/or authorizations of the City of Sturgeon Bay which will result in the necessity to incur legal, consulting, incidental, or special event expenses on behalf of the undersigned or in consideration of the request submitted by the undersigned;

NOW, THEREFORE, IT IS AGREED that the undersigned will reimburse the City of Sturgeon Bay by providing payment to the City Clerk - Treasurer within fourteen (14) days of receiving an invoice, for all legal, consulting, incidental, and special event expenses incurred by the City of Sturgeon Bay for the benefit of the undersigned or for the consideration of the request submitted by the undersigned. These expenses are likely to include the following: Planning and engineering review, legal review and document preparation, recording, publication, special events, and miscellaneous expenses.

This Agreement must be signed prior to the initiation of any action by the City of Sturgeon Bay.

Dated: August 10, 2021



Dated: _____

Company Name (if applicable): Sunshine House Inc.

Billing Address: 55 W. Yew Street

Sturgeon Bay, WI 54235

Telephone: 920-743-7943

3.035 - Reimbursement of expenses.

- (1) *[Authorization to charge for reimbursement.]* The city clerk-treasurer is authorized to charge for reimbursement of expenses incurred on behalf of and for the benefit of third parties for services rendered by the city. These reimbursable expenses include, but are not limited to:
- (a) *Legal, consulting, and incidental expenses.* Any expenses associated with service demands related to legal, consulting, and incidental services. These expenses include but are not limited to:
1. Mortgages and related documentation prepared by the city attorney for property transactions.
 2. Drafting and recording of documents for street vacation not initiated by the city.
 3. Drafting of ordinances related to zoning.
 4. Costs associated with annexations.
 5. Recording fees for planned unit developments and related zoning and subdivision actions.
 6. Legal publication, hearing notices, and postage.
 7. Engineering, planning, financial, and related consultants' reviews, studies, and inspections.
 8. Any other fees associated with service demands by third parties not specifically related to general governmental services.
- (b) *Special events expenses.* Any expenses associated with service demands related to special events. These expenses include but are not limited to:
1. Labor, equipment, and materials used before, during and after special events.
 2. Garbage/refuse and recycling pickup and disposal.
 3. Legal services related to event.
 4. Drafting of documents related to event.
 5. Administrative costs associated with service demands related to special events.
 6. Any other fees associated with service demands related to special events.
- (2) *Fees/deposit.*
- (a) *Fees.* Fees can only be charged upon prior notice to the petitioner who must sign an agreement to reimburse prior to initiating action. Prior to initiating any action, the department where petition is initiated shall secure the signed reimbursement agreement from petitioner and forward it to city clerk-treasurer.
- (b) *Deposit.* If reimbursement costs are estimated to be over \$250.00, a deposit in the estimated amount may be required by the city prior to initiating action. Petitioner shall pay for all costs that exceed deposit amount, and petitioner shall be reimbursed if deposit amount exceeds costs.
- (3) *Failure to pay fees.* If the fee is not paid within 30 days of the date of the mailing of the invoice, an additional administrative collection charge of ten percent of the total fee shall be added to the amount due, plus interest shall accrue thereon at the rate of 1.5 percent per month or fraction

thereof until paid. To the extent permitted by law, if the petitioner is the owner of the real estate for which the services are incurred, any delinquent fees shall be extended upon the current or the next tax roll as a special charge against the real estate premises for current services.

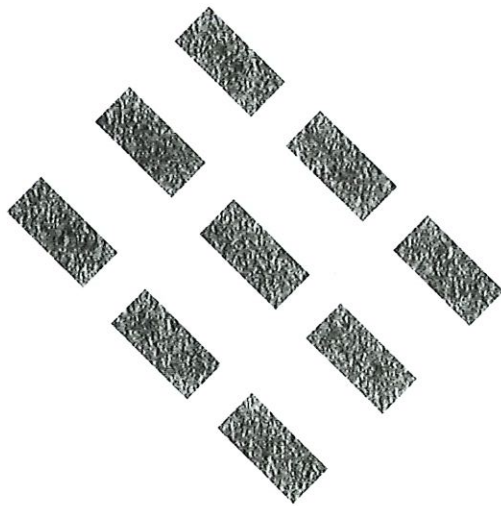
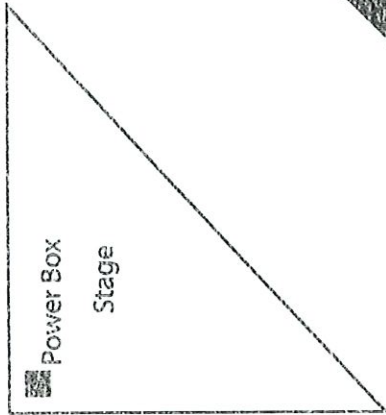
(Ord. No. 1040-0500, § 1, 5-16-00; Ord. No. 1088-0303, § 1, 3-4-03)

Barriade

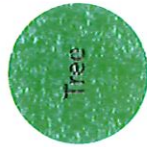
2nd St.

2021 Sunflower Fest

Rest Rooms



Power Box



Tree



Tree

Photo Ops

30' x 60' tent

Seating

Info



Tree



Tree



Tree

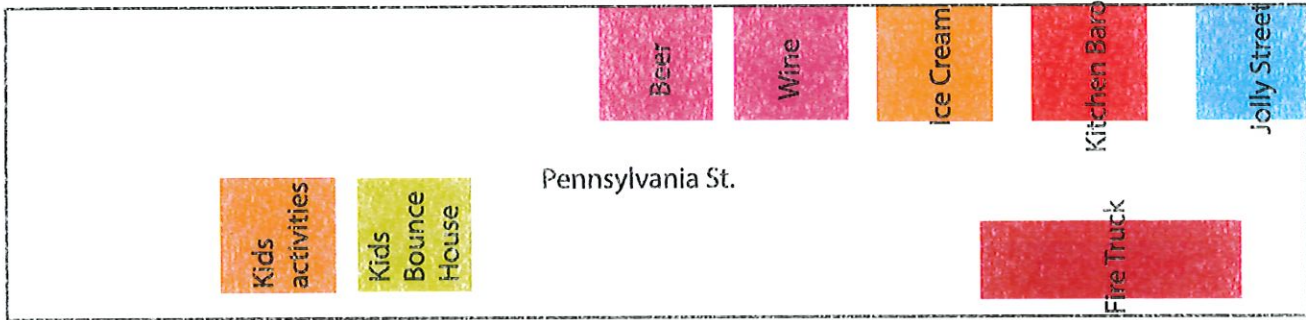
3rd Ave.



Tree



Tree



Pennsylvania St.

Barriade



Producer Name John Gibson Phone 608-348-2421 Email jgibson@tricorinsurance.com

Applicant Information

- | | | | | | |
|--------------------------------------|--|------|--------|-------|-----|
| 1. Name of Applicant | Sunshine House Inc. | | | | |
| 2. Address | 55 W. Yew Street Sturgeon Bay WI 540235 | | | | |
| | Street | City | County | State | Zip |
| 3. Web site | https://www.sunshineresources.org/ | | | | |
| 4. Contact Name, telephone and email | Ken Glasheen | | | | |
| 5. Business Type | <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation <input checked="" type="checkbox"/> Non-Profit <input type="checkbox"/> Other | | | | |

Event Details

6. Name of the Event Sunflower Fest
7. Location of Event Martin Park

Name of Venue

207 S 3rd Ave, Sturgeon Bay, WI 54235

Street	City	County	State	Zip
--------	------	--------	-------	-----

* If multiple location addresses, please attach a schedule of location addresses.

8. Effective Dates (please include setup and teardown time) From 09/11/2021 to 09/11/2021

Event Date	Daily Attendance	Hours of Operation
9/11/21	1200	from 8:00 : am AM/PM to 6:30 : PM AM/PM
		from : AM/PM to : AM/PM
		from : AM/PM to : AM/PM
		from : AM/PM to : AM/PM
		from : AM/PM to : AM/PM

9. Please provide a description of the Event, including a complete list of activities 2 Bands, Food Trucks, Wine and Beer
Sales, and a bounce house for the kids.

10. Has this event been held previously? ☒ Yes ☐ No
If yes, please provide the following:
Name of Insurance Company Philadelphia Insurance Premium \$ 250
This event was not previously insured.

Coverage Information

- ## 11. Liability Coverage

Liability Limits Requested (per occurrence/aggregate)

_____	\$300,000/\$600,000	_____	\$500,000/\$500,000	_____	\$500,000/\$1,000,000
_____	\$1,000,000/\$1,000,000	_____	\$1,000,000/\$2,000,000	✓	\$1,000,000/\$3,000,000

- ## 12. Auto Coverage

Please indicate if you would like to include a quote for Hired and Nonowned Auto Liability (Not eligible for demo derbies or motorized stunts/events):

No

Yes, please include a quote at limit equal to the liability occurrence limit requested above

Will you be providing transportation for spectators or participants? Yes ✓ No

Please describe how the vehicles will be used for the event _____

13. Property Coverage

Please indicate if you would like to include a quote for property while on exhibit:

☒ No

☐ \$10,000 (maximum available) Exhibition Floater, Actual Cash Value, no coinsurance, \$500 deductible (*this includes Business Personal Property and Trailer used in Special Events while on exhibit or display away from a premises you own, lease, or operate; in transit to and from an exhibit or display*)

14. Liquor Liability Coverage

Liquor Liability Limits Requested (per occurrence/aggregate)

☐ No, there is no liquor exposure

☐ No, liquor provided by vendor (must be listed as an Additional Insured on their policy)

☐ \$100,000/\$100,000 ☐ \$300,000/\$300,000

☐ \$500,000/\$500,000 ☒ \$1,000,000/\$1,000,000

Complete the following liquor liability coverage questions only if you are requesting this coverage:

Projected alcohol sales for this event:

Beer \$2200

Wine \$1200

Liquor \$0

Have you hosted similar events in the past?

☒ Yes ☐ No

If yes:

Have you ever been cited for violation of law or ordinance related to serving alcohol?

☐ Yes ☒ No

At previous events have there been any fights or altercations of any kind?

☐ Yes ☒ No

Will the servers be licensed or certified bartenders, or if not, will the serving be overseen by a licensed bartender?

☒ Yes ☐ No

Is a liquor license required for this event?

☒ Yes ☐ No

Will ID's be checked before alcohol is served?

☒ Yes ☐ No

Will there be a double fence surrounding the area where alcohol is allowed?

☐ Yes ☒ No

Will law enforcement or security be present in the area where liquor is served and consumed?

☒ Yes ☐ No

Event Information

15. Has coverage ever been canceled, non-renewed or declined? (**Do not answer this question in Missouri.**)

☐ Yes ☒ No

If yes, please explain _____

16. Please list all losses or claims within the past 5 years:

☒ No losses

Description

\$ Amount of Loss

17. Are spectators allowed to camp overnight on the premises during the event?

☐ Yes ☒ No

18. Is there a barrier between the spectators and exhibitions?

☐ Yes ☒ No

If yes, please describe the following:

Type of barrier used _____

The amount of distance between the spectators and the exhibition (in feet) _____

19. Are spectators allowed to participate in any events?

☐ Yes ☒ No

If yes, please describe the events _____

20. Are all participants required to sign waivers of liability?

☐ Yes ☒ No

If yes, please attach a copy. **Copy of waiver required.**

21. Will Emergency Medical Systems be on premises or do you have an emergency medical plan in place that is communicated to all employees and volunteers?

☒ Yes ☐ No

22. Will law enforcement or Security be present at this Event?

☒ Yes ☐ No

If yes, please describe the type of security provided _____

23. (GL only) Will the applicant use any mobile equipment (i.e. ATV's, golf carts, etc.)?

☐ Yes ☒ No

What type of mobile equipment will be utilized? _____

How many of each type? _____

Describe the use _____

Will the mobile equipment be kept in a locked storage facility and their keys kept in a separate secured location?

___ Yes ___ No

24. Will the Event include any of the following activities?

___ Not Applicable – there won't be any of these activities

Activity Description	Applicant Operations	or Vendors and Exhibitors Operations
Hot Air Balloon Rides	<input type="checkbox"/> Yes, I am operating or sponsoring these activities	<input type="checkbox"/> Vendor will be operating and sponsoring these activities.
Helicopter/Airplane Rides	*Note these activities will be excluded on the policy.	Will you obtain a Certificate of Insurance listing you as an additional insured on their policy? <input type="checkbox"/> Yes <input type="checkbox"/> No
Carnival Rides		
Fireworks		
Parades	<input type="checkbox"/> Yes, I am operating or sponsoring this activity ___ Number of units Throwing candy <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Vendor will be operating and sponsoring the activity. Will you obtain a Certificate of Insurance listing you as an additional insured on their policy? <input type="checkbox"/> Yes <input type="checkbox"/> No
Demolition Derby <input type="checkbox"/> Motor Vehicle Demonstration <input type="checkbox"/> Tractor Pull <input type="checkbox"/> Steam Powered Equipment Demonstration <input type="checkbox"/>	<input type="checkbox"/> Yes, I am operating or sponsoring this activity Concrete barrier <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Vendor will be operating and sponsoring the activity. Will you obtain a Certificate of Insurance listing you as an additional insured on their policy? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If Yes is checked, the insured is required to obtain Certificates from vendors for motor related events.</i>
Dunk Tank <input type="checkbox"/> Inflatable <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Yes, I am operating or sponsoring this activity	<input type="checkbox"/> Vendor will be operating and sponsoring the activity. Will you obtain a Certificate of Insurance listing you as an additional insured on their policy? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Is the dunk tank <input type="checkbox"/> homemade? or <input type="checkbox"/> made by a commercial manufacturer?	
Petting Zoo Animal Rides	<input type="checkbox"/> Yes, I am operating or sponsoring this activity	<input type="checkbox"/> Vendor will be operating and sponsoring the activity. Will you obtain a Certificate of Insurance listing you as an additional insured on their policy? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Is there a hand washing station and a sign warning people to wash their hands after touching the animals to prevent illness? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Wagons	<input type="checkbox"/> Yes, I am operating or sponsoring this activity Photo Required	<input type="checkbox"/> Vendor will be operating and sponsoring the activity. Will you obtain a Certificate of Insurance listing you as an additional insured on their policy? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Sides four feet tall or higher? <input type="checkbox"/> Yes <input type="checkbox"/> No Four sides to wagon? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Triathlons	<input type="checkbox"/> Yes, I am operating or sponsoring this activity	<input type="checkbox"/> Vendor will be operating and sponsoring the activity. Will you obtain a Certificate of Insurance listing you as an additional insured on their policy? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Is the event sanctioned? <input type="checkbox"/> Yes <input type="checkbox"/> No Are wetsuits required? <input type="checkbox"/> Yes <input type="checkbox"/> No	

25. Are all vendors or exhibitors required to have their own Insurance with minimum liability limits equal to your own, and provide a Certificate of Insurance listing you as an additional insured on their policy? ___ Yes ___ No

26. Are there any Additional Insureds? ___ Yes, please indicate how many ___ No
If yes, please provide the following information for each Additional Insured request:

****If you need to schedule more than one Additional Insured, please attach a complete schedule.**

Relationship to named insured ☒ Owner of premises ☐ Sponsor of Event
Certificate Holder Name City of Sturgeon Bay
Mailing Address 421 Michigan Street
City Sturgeon Bay State WI Zip 54235

Please note all Special Events must be paid in full at the time of binding.

Summary of Attachments -- Enclosed and incorporated with this application are additional information documents as specified by questions 7, 21, 27 herein.

The applicant understands and agrees this application and any supplements thereto shall be incorporated into any policy that may be issued and that SECURA relies on the truth of the statements set forth herein in making a determination to issue any policy.

Fraud Warning

Colorado: It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

Kansas: Any person who, knowingly and with intent to defraud, presents, causes to be presented or prepares with knowledge or belief that it will be presented to or by an insurer, purported insurer, broker or any agent thereof, any written, electronic, electronic impulse, facsimile, magnetic, oral, or telephonic communication or statement as part of, or in support of, an application for the issuance of, or the rating of an insurance policy for personal or commercial insurance, or a claim for payment or other benefit pursuant to an insurance policy for commercial or personal insurance which such person knows to contain materially false information concerning any fact thereto; or conceals, for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act.

Kentucky: Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.

Pennsylvania: Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.

All Other States: Any person who knowingly conceals or provides materially false, incomplete, or misleading information on an application or concerning a claim to an insurance company for the purpose and intent of defrauding the company, may be guilty of insurance fraud in violation of state law. Penalties may include imprisonment, fines, or denial of insurance benefits.

Personal information about you may be collected from persons other than you. Such information as well as other personal and privileged information collected by us or our agents may in certain circumstances be disclosed to third parties without your authorization. You have the right to review your personal information in our files and can request correction of any inaccuracies. Contact your SECURA agent for instructions on how to submit a request to us.

The information I have provided is true and accurate to the best of my knowledge. I have not willfully concealed or misrepresented any material fact or information. I understand that if the information supplied on this application changes between the date of the application and the inception date of the policy period, I will notify SECURA Insurance Companies of such change. I understand that completion of this application does not compel the company to provide coverage.


Applicant's Signature

8/8/21
Date

Agent's Signature

Date

SPECIAL CLASS "B" WINE RETAILERS LICENSE
for the sale of WINE at a
GATHERING OR PICNIC

No: 968P-21 \$ 10.00

WHEREAS, the local governing body of the **CITY** of **STURGEON BAY** County of **DOOR**, Wisconsin, has, upon application duly made, granted and authorized the issuance of a Retail Class "B" Wine License to:

SUNSHINE RESOURCES OF DOOR COUNTY AGENT: **JEREMY PASZCZAK**
Sunflower Fest

to sell wine as defined by law, pursuant to Sections 125.26(6) and 125.51(10) of the Statutes of the State of Wisconsin, and local ordinances.

AND WHEREAS, the said applicant has paid to the treasurer the sum of **\$10.00** for such Class "B" Retailer's Wine License as provided by local ordinances, and has complied with all the requirements necessary for obtaining such license;

LICENSE IS HEREBY ISSUED to said applicant to sell, deal and traffic in, at retail, Wine at the following described premises:

Martin Park, 207 South 3rd Avenue, Sturgeon Bay, WI 54235

FOR THE PERIOD from **September 11, 2021** to **September 11, 2021**

Given under my hand and the corporate seal of the
CITY of **STURGEON BAY**,
this **7th** day of **July**, **2021**.


Stephanie L. Reinhardt, City Clerk

SPECIAL CLASS "B" RETAILERS' LICENSE
for the sale of fermented malt beverages
and/or wine coolers at a
GATHERING OR PICNIC

\$ 10.00

No: 967p-21

WHEREAS, the local governing body of the **CITY** of **STURGEON BAY** County of **DOOR**, Wisconsin, has, upon application duly made, granted and authorized the issuance of a Retail Class "B" Beer License to:

SUNSHINE RESOURCES OF DOOR COUNTY AGENT – JEREMY PASZCZAK
Sunflower Fest

to sell Fermented Malt Beverages, and/or Wine Coolers as defined by law, pursuant to Sections 125.26(6) and 125.51(10) of the Statutes of the State of Wisconsin, and local ordinances.

AND WHEREAS, the said applicant has paid to the treasurer the sum of **\$10.00** for such Class "B" Retailer's Fermented Malt Beverage, and/or Wine Cooler License as provided by local ordinances, and has complied with all the requirements necessary for obtaining such license;

LICENSE IS HEREBY ISSUED to said applicant to sell, deal and traffic in, at retail, Fermented Malt Beverages and/or Wine Coolers at the following described premises:

Martin Park, 207 South 3rd Avenue, Sturgeon Bay, WI 54235

FOR THE PERIOD from September 11, 2021 to September 11, 2021

Given under my hand and the corporate seal of the

CITY of **STURGEON BAY**,
this **7th** day of **July, 2021**



Stephanie L. Reinhardt, City Clerk

**CITY OF STURGEON BAY
STREET CLOSURE APPLICATION**

Name of Applicant: DOOR COUNTY Medical Center
 Name of Event: Tailgate Party ~ Picnic
 Contact Phone #: 920 746-3597
 Date(s) of Event: 9/9/21 Time: 3:00 - 9:00 PM
 Estimated # of Attendees: 800
 Specific Location: SOUTH 16TH PLACE
IN FRONT OF THE HOSPITAL

- ☒ Attach map of requested street closure area including barricades location, tent/booth location, or any street obstruction. The map must be in final form.
- ☒ Attach Certificate of Insurance with the City listed as ADDITIONAL INSURED. Limits as follows: Commercial General Liability - \$1,000,000 each occurrence limit; Fire Damage Limit - \$50,000 any one fire; Medical Expense Limit - \$5,000 any one person; and Workers Compensation - As required by the State of Wisconsin.
- NA ☐ Temporary Beer and/or Wine license has been applied for, approximately four weeks prior to the event date, by a qualified organization and fee paid. (If applicable.)
- ☒ Hold Harmless Agreement has been signed of Officer(s) of Event/Organization.
- ☒ Agreement for Reimbursement of Expenses has been signed by Officer(s) of Event/Organization.
- ☒ If tents larger than 20 x 20 are used, must agree to contact the Fire Department for inspection, prior to event.

What arrangements are made for clean up? WE WILL CLEAN UP

Other comments or explanation: _____

Signature of Responsible Party: _____

Address: _____

Date Submitted: _____

(Street Closure applications may not be submitted/approved more than 90 days in advance of event date.)

Approval:

Fire Chief: _____

Date: 8-10-21

Police Chief: _____

Date: 8-11-21

Comm. Dev: _____

Date: 8-12-21

Streets/Parks: _____

Date: 8-12-21

City Clerk: _____

Date: 8/31/21

Finance Dir: _____

Date: 8/17/21

City Engineer: _____

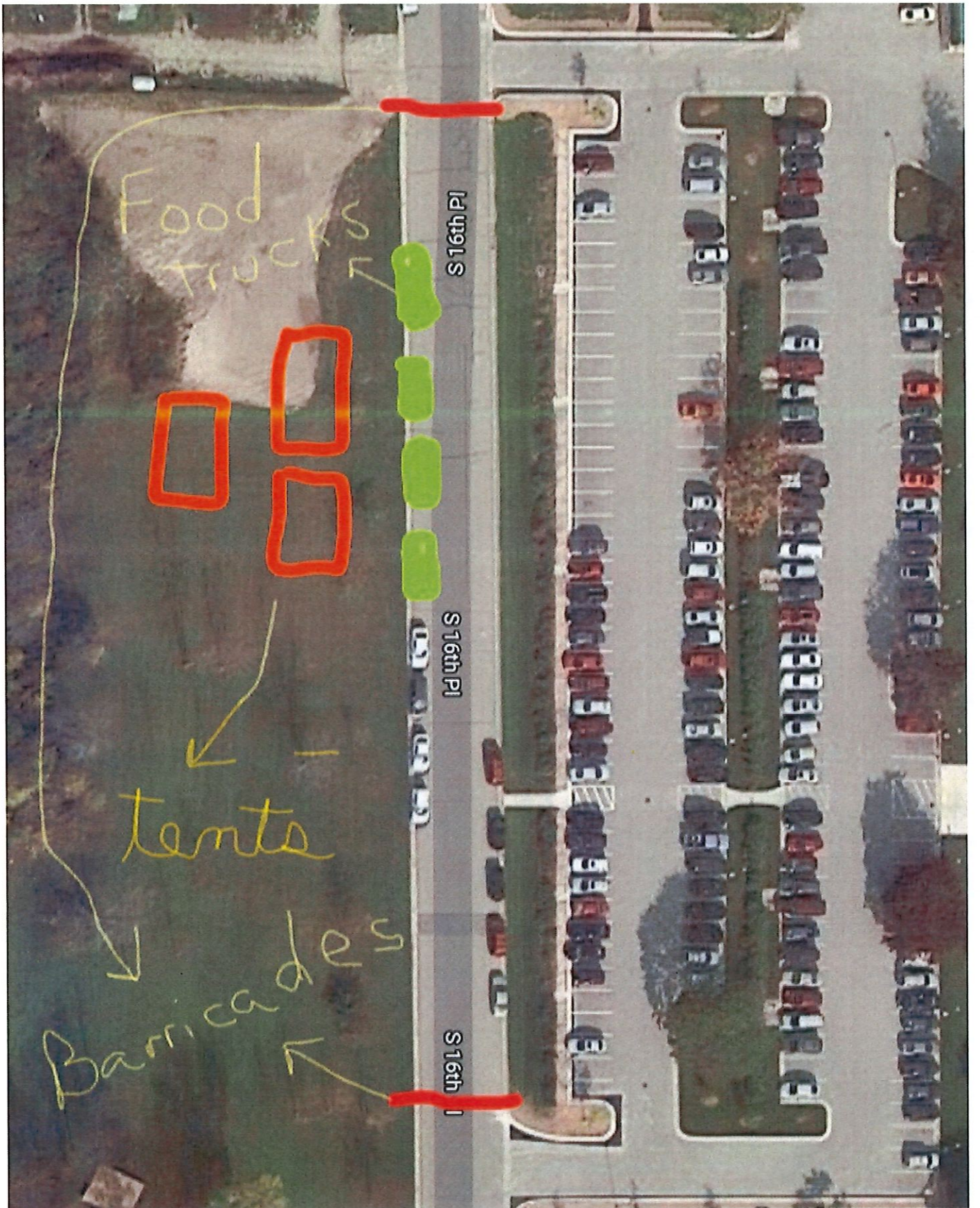
Date: 8-12-21

City Admin: _____

Date: 8/19/21

Common Council Approval Date: _____

- ☐ Copy of Approved Street Closure Application sent to EMS Director.



HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

The undersigned certifies that he or she is a duly authorized agent of Doe County Medical, and is duly empowered and authorized to execute this hold harmless and indemnification agreement on behalf of the above referenced party.

The undersigned in consideration of being allowed to use City property to HAVE A Picnic, which shall encroach in the public right-of-way adjacent to property located at 323 South 18th Ave, do hereby release, acquit, and forever discharge the City of Sturgeon Bay, its officers, agents, and employees (hereinafter known as City), from any and all actions, causes of action, claims, demands, costs, expenses and compensation related to property damages, personal injury or death arising out of any accident or occurrence while maintaining said encroachment in the public right-of-way. The undersigned further agrees to hold harmless and defend the City from any claims or actions arising from said Picnic as an encroachment in the public right-of-way.

The undersigned agrees that as a condition of the City approving the use as an encroachment in the public right-of-way, it will maintain usage, and continue to provide a minimum of six foot unobstructed area for public use and passage in said public right-of-way.

Dated this 10th day of AUGUST, 2021.

By: Dan Bittorf

By: _____

**CITY OF STURGEON BAY
AGREEMENT FOR REIMBURSEMENT OF EXPENSES**

WHEREAS the City of Sturgeon Bay has created Section 3.035 of the Municipal Code authorizing the City Clerk - Treasurer to charge for reimbursement of legal, consulting, incidental, and special events expenses incurred on behalf of and/or for the benefit of third parties for services rendered by the City of Sturgeon Bay;

AND WHEREAS the undersigned has requested services and/or authorizations of the City of Sturgeon Bay which will result in the necessity to incur legal, consulting, incidental, or special event expenses on behalf of the undersigned or in consideration of the request submitted by the undersigned;

NOW, THEREFORE, IT IS AGREED that the undersigned will reimburse the City of Sturgeon Bay by providing payment to the City Clerk - Treasurer within fourteen (14) days of receiving an invoice, for all legal, consulting, incidental, and special event expenses incurred by the City of Sturgeon Bay for the benefit of the undersigned or for the consideration of the request submitted by the undersigned. These expenses are likely to include the following: Planning and engineering review, legal review and document preparation, recording, publication, special events, and miscellaneous expenses.

This Agreement must be signed prior to the initiation of any action by the City of Sturgeon Bay.

Dated: 8/10/2001 Dan Bittorf

Dated: _____

Company Name (if applicable): Door County Medical Center

Billing Address: 323 South 18th Ave

Telephone: 920 746-3597

3.035 - Reimbursement of expenses.

- (1) *[Authorization to charge for reimbursement.]* The city clerk-treasurer is authorized to charge for reimbursement of expenses incurred on behalf of and for the benefit of third parties for services rendered by the city. These reimbursable expenses include, but are not limited to:
- (a) *Legal, consulting, and incidental expenses.* Any expenses associated with service demands related to legal, consulting, and incidental services. These expenses include but are not limited to:
 - 1. Mortgages and related documentation prepared by the city attorney for property transactions.
 - 2. Drafting and recording of documents for street vacation not initiated by the city.
 - 3. Drafting of ordinances related to zoning.
 - 4. Costs associated with annexations.
 - 5. Recording fees for planned unit developments and related zoning and subdivision actions.
 - 6. Legal publication, hearing notices, and postage.
 - 7. Engineering, planning, financial, and related consultants' reviews, studies, and inspections.
 - 8. Any other fees associated with service demands by third parties not specifically related to general governmental services.
 - (b) *Special events expenses.* Any expenses associated with service demands related to special events. These expenses include but are not limited to:
 - 1. Labor, equipment, and materials used before, during and after special events.
 - 2. Garbage/refuse and recycling pickup and disposal.
 - 3. Legal services related to event.
 - 4. Drafting of documents related to event.
 - 5. Administrative costs associated with service demands related to special events.
 - 6. Any other fees associated with service demands related to special events.
- (2) *Fees/deposit.*
- (a) *Fees.* Fees can only be charged upon prior notice to the petitioner who must sign an agreement to reimburse prior to initiating action. Prior to initiating any action, the department where petition is initiated shall secure the signed reimbursement agreement from petitioner and forward it to city clerk-treasurer.
 - (b) *Deposit.* If reimbursement costs are estimated to be over \$250.00, a deposit in the estimated amount may be required by the city prior to initiating action. Petitioner shall pay for all costs that exceed deposit amount, and petitioner shall be reimbursed if deposit amount exceeds costs.
- (3) *Failure to pay fees.* If the fee is not paid within 30 days of the date of the mailing of the invoice, an additional administrative collection charge of ten percent of the total fee shall be added to the amount due, plus interest shall accrue thereon at the rate of 1.5 percent per month or fraction

thereof until paid. To the extent permitted by law, if the petitioner is the owner of the real estate for which the services are incurred, any delinquent fees shall be extended upon the current or the next tax roll as a special charge against the real estate premises for current services.

(Ord. No. 1040-0500, § 1, 5-16-00; Ord. No. 1088-0303, § 1, 3-4-03)



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

08/06/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER MARSH USA INC 540 W. MADISON CHICAGO, IL 60661 Attn: Chicago.CertRequest@marsh.com	CONTACT NAME: PHONE (A/C, No. Ext): FAX (A/C, No): E-MAIL: ADDRESS:
CN101819976-DCMH-Cas-20-21	INSURER(S) AFFORDING COVERAGE INSURER A : N/A INSURER B : ProAssurance Casualty Company INSURER C : Liberty Insurance Corporation INSURER D : INSURER E : INSURER F :
INSURED Door County Memorial Hospital Attn: Kalyn Safranski 323 South 18th Ave. Sturgeon Bay, WI 54235	NAIC # N/A 42404

COVERAGES**CERTIFICATE NUMBER:**

CHI-009887742-03

REVISION NUMBER: 16

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:			CH386	11/01/2020	11/01/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ 1,000,000 PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y/N <input checked="" type="checkbox"/> N	N/A		WC7-641-445541-010	11/01/2020	11/01/2021	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: Evidence of insurance for the Door County Medical Center Street Closure Application for the event on September 9, 2021. Fire Damage Limit: \$50,000 any one fire

CERTIFICATE HOLDERCity of Sturgeon Bay
421 Michigan Street
Sturgeon Bay, WI 54235**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Marsh USA Inc.

R E C O M M E N D A T I O N**TO THE HONORABLE MAYOR AND COMMON COUNCIL:**

We, the Parking & Traffic Committee, hereby recommend to add a No Parking Here to Corner sign on the existing sign pole, just east of the garage doors on the N. side of Oregon St.

Respectfully submitted,

PARKING & TRAFFIC COMMITTEE

By: Kirsten Reeths, Chr.

RESOLVED, that the foregoing recommendation be adopted.

Dated: August 23, 2021

* * * * *

Moved by Alderperson _____, seconded by Alderperson

_____ that the said recommendation be adopted.

Passed by the Council on the _____ day of _____, 2021.

DeGrave, Colleen

From: Kerry Reeths <kreeths@hatcocorp.com>
Sent: Monday, June 21, 2021 11:08 AM
To: DeGrave, Colleen
Subject: Fw: : Parking Concern for Parking and Traffic Committee
Attachments: 21-005305.pdf

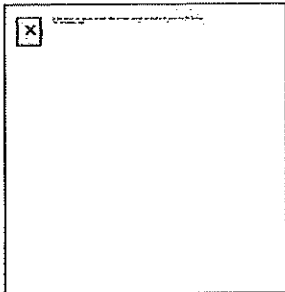
Hello Colleen,

Please add this to the Agenda.

Consideration of :No Parking by City Police Department

The south and north side of Oregon Street between S. 4th and S. 5th Avenue as "no parking" .

Regards,
Kirsten



Kirsten (Kerry) Reeths
E-mail: kreeths@hatcocorp.com
Hatco & Ovention Owens University Coordinator/Admin/Communication Clerk
Administration
Hatco Corporation
Tel: 920-746-4894
Fax: 920-743-1173
Cell: 920-255-3681

From: SBDistrict7 <sbdistrict7@sturgeonbaywi.org>
Sent: Monday, June 21, 2021 7:02 AM
To: Kerry Reeths <kreeths@hatcocorp.com>
Subject: [EXTERNAL] Fwd: Parking Concern for Parking and Traffic Committee

Sent from my iPad

Begin forwarded message:

From: "Henry, Clint" <CHenry@sturgeonbaywi.org>
Date: June 18, 2021 at 10:15:34 AM CDT
To: SBDistrict7 <sbdistrict7@sturgeonbaywi.org>, SBDistrict5 <sbdistrict5@sturgeonbaywi.org>,

SBDistrict4 <sbdistrict4@sturgeonbaywi.org>
Subject: Parking Concern for Parking and Traffic Committee

Ms. Reeth, Mr. Nault, and Mr. Gustafson,

Our officers responded to a parking violation on Wednesday, June 16, 2021 on Oregon Street near S. 4th Avenue. When Officer Crabb and CSO Tebon arrived on scene, they found parking on Oregon Street was causing a substantial risk to motorists. Southbound motorist on S. 4th Avenue have their view blocked by parked vehicles on Oregon Street (when looking east). In fact, the southbound vehicle on S. 4th Avenue needs to creep into the intersection to see if there are westbound vehicles on Oregon Street. Officer Crabb (and I agree) believes that the best solution to the issue is to post both the south and north side of Oregon Street between S. 4th and S. 5th Avenue as "no parking". Currently the southside is posted as "no parking". I attached our police report to this email.

Feel free to contact me if you wish to discuss this further.

Thank you,

Clint Henry
Chief of Police
Sturgeon Bay Police Department
421 Michigan Street
Sturgeon Bay, WI 54235
Phone: (920) 746-2450
E-mail: chenry@sturgeonbaywi.org



Sturgeon Bay Police Dept.

Officer Report for Incident 21-005305

Nature: Traffic Hazard

Address: S 4TH AVE & OREGON ST;
Sturgeon Bay-C

Location: LCST

Sturgeon Bay WI 54235

Received By: Crabb, Andrew

How Received: In Person

Agency: SBPD

Responsible Officer: Crabb, Andrew

Disposition: Closed Case 06/17/21

When Reported: 08:13:14 06/17/21

Occurred Between: 08:13:14 06/17/21 and 08:13:14 06/17/21

Complainant:2

Last: STURGEON BAY
POLICE
DEPARTMENT

First:

Mid:

Dr Lic:

DOB: **/**/**

Address: 421 MICHIGAN ST; Sturgeon
Bay-C

Race:

Sex:

Phone: (920)746-2450

City: Sturgeon Bay, WI 54235

Offense Codes

Reported:

Observed: TRPC PARKING COMPLAINT

Statute Codes

Circumstances

BM188 No Bias

Responding Officers

Crabb, Andrew

Unit :

209

Responsible Officer: Crabb, Andrew

Agency: SBPD

Involvements

Date	Type	Number	Description	Relationship
06/17/21	Name	2	STURGEON BAY POLICE DEPARTMENT,	Complainant

STURGEON BAY POLICE DEPARTMENT, (Complainant)

AGE: **/**/(0) RACE: SEX:

421 MICHIGAN ST; Sturgeon Bay-C

Sturgeon Bay, WI. 54235

Home: (920)746-2450 Work: (920)746-2450 Other:

Narrative

On June 16th, 2021, I assisted CSO Tebon with a parking complaint, at the intersection of Oregon Street and 4th Ave.

During this investigation, I noted when vehicles are parked on the north side of Oregon Street, in between 4th Ave and 5th ave, and between 4th Ave and 3rd Ave, it is difficult to see approaching vehicles coming from the east and west.

I also noted when I was stopped at the painted stop sign line, on 4th Ave at Oregon Street, facing south, my view was obstructed by the parked vehicles, on both sides of the intersection (east and west). I believe this creates a safety risk for motorists and pedestrians. In order to get a clear view of approaching vehicles, I had to slowly enter the intersection, to see around the parked vehicles.

Recommendations for a Safer Intersection:

CSO Tebon and I took photos of the intersection, which included the parked vehicles. These photos will be included with this report. I believe if the 2 hour parking sign on Oregon Street (closest to 4th Ave) is changed to a sign stating "No parking From Here to Corner", it would increase the visibility for motorists and pedestrians, which would decrease the risk of an accident. Also, I believe a "No Parking From Here to the Corner" sign, on the west side of the intersection, 45 to 50 feet from the pedestrian crosswalk line, should be installed for greater visibility.

However, there would still be an obstructed view for motorists/ pedestrians crossing Oregon Street at 4th Ave (east of the intersection, for southbound traffic). I believe the ideal solution to this problem would be to post the north side of Oregon Street, from 4th Ave to 5th Ave with "No Parking" signs, which are currently posted along the south side of Oregon Street, for northbound traffic.

Photo Log:

1-6: Photos of the 4th Ave and Oregon Street Intersection

Respectfully,

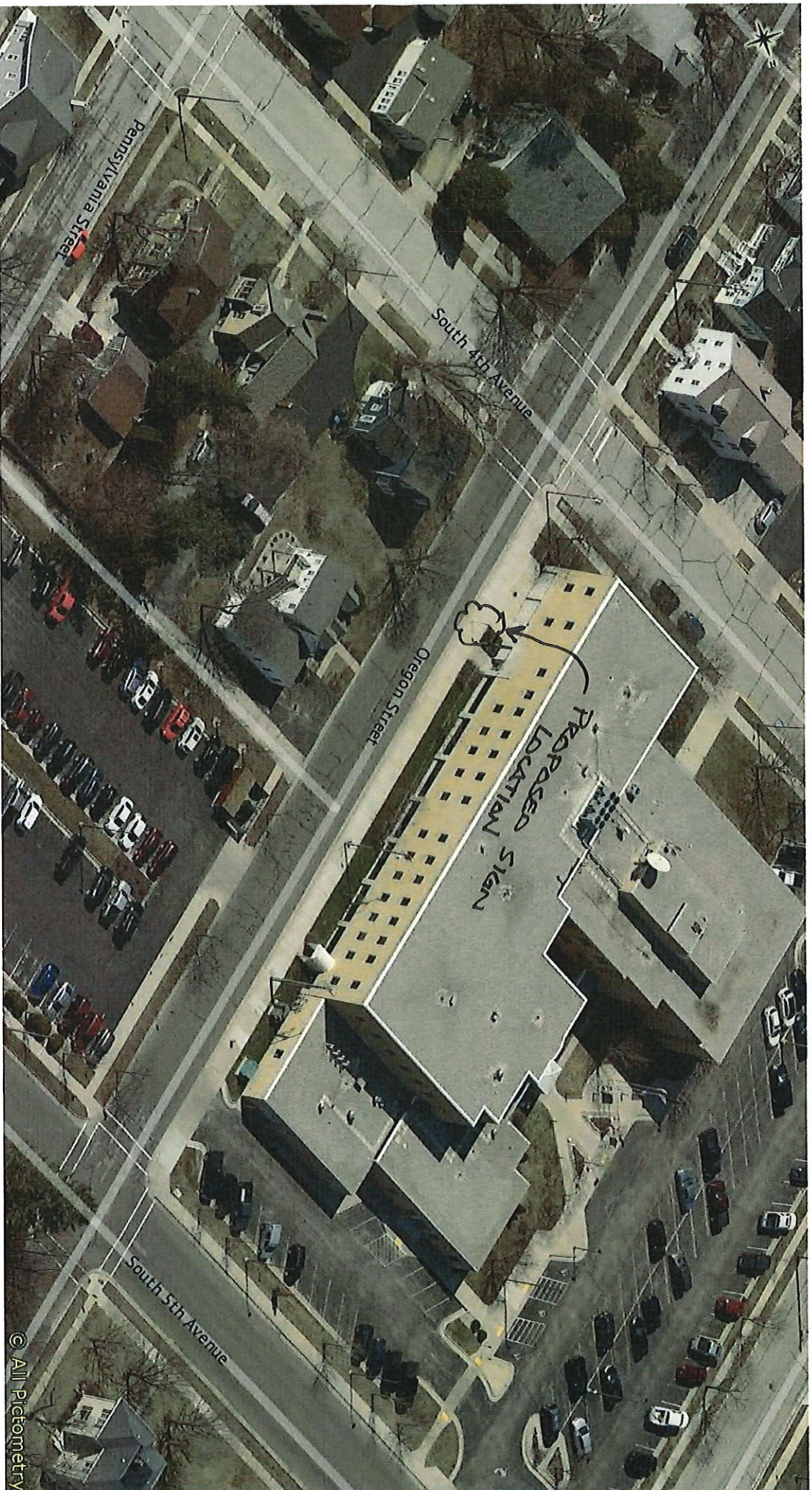
Officer Andrew Crabb #209
Sturgeon Bay Police Department

Responsible Officer

date

Approved by

date



© All Pictometry

RECOMMENDATION**TO THE HONORABLE MAYOR AND COMMON COUNCIL:**

We, the Finance/Purchasing & Building Committee, hereby recommend to approve the funding request from the Friends of Sturgeon Bay Skatepark in an amount not to exceed \$15,000 for directional boring for the installation of lighting at the Skatepark and to assist with future maintenance costs.

Respectfully submitted,

FINANCE/PURCHASING & BUILDING
COMMITTEE

By: Helen Bacon, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: August 31, 2021

Introduced by _____.

Moved by Alderperson _____ seconded by

Alderperson _____ that said recommendation be adopted.

Passed by the Council on the _____ day of _____, 2021.



City of Sturgeon Bay
421 Michigan Street
Sturgeon Bay, WI 54235
jvanlieshout@sturgeonbaywi.org

Joshua J. Van Lieshout
City Administrator

920-746-6905 (Voice)
920-746-2905 (Fax)

Memorandum

To: Finance Committee
Jim Stawicki-SBU
Mike Barker-Municipal Services

From: Josh Van Lieshout, Administrator

Re: Sturgeon Bay Skate Park Lighting / GASBO

Date: August 26, 2021

Item:

Discussion: The Sturgeon Bay Skate Park, Inc./GASBO had previously approached the City of Sturgeon Bay about the installation of lights at the skate park to facilitate evening activities. The Common Council expressed a willingness to accept, operate and maintain lights at the Skate Park, if sufficient funds are raised.

The Skate Park group has asked the City / SBU for some assistance in the effort either by in-kind services or as requested direct capital expense. The "gap" the City is being asked to fill is for some directional boring between the existing concession stand and the lighting control box. The estimated value of the work is \$11,000, it could be less if site conditions prove favorable or a combination of drilling and trenching is possible. This would enable construction, and allow the effort to maximize in-kind contributions from their electrical contractor.

Attached are the worksheets supplied by the Skate Park Lighting group / GASBO, a representative will be at the Finance Committee meeting.

Options: Recommend approval of a budget amendment transferring funds from Capital Reserves—Parks to the 2021 Capital Budget up to \$15,000 for the directional boring.

Take no action

Recommendation: This would seem to be a very good return on investment and supported community project. The Parks Capital Reserves fund has sufficient cash on hand to cover the expense. There is a possibility that there will be excess revenues in the 2021 Capital Budget, to cover this new expense, however that won't be known for certain until after all budgeted capital projects are completed.

VanLieshout, Josh

From: Matt Young <myoungwi@gmail.com>
Sent: Wednesday, August 25, 2021 9:46 PM
To: VanLieshout, Josh; Clarizio, Valerie J.; SBDistrict7
Cc: Paul Fruzyna; Stawicki, James
Subject: Updated Budget and Donations

Follow Up Flag: Follow up
Flag Status: Flagged

Hi All -

Please review the attached spreadsheet for the latest donation and cost estimate information. As we tidy up our estimates and continue to aggressively fundraise, we find ourselves much closer to 100% funding to light the skatepark.

Here are a few notes regarding the information we are sharing:

- The Raibrook Foundation has chosen to support our project. As you all are aware they do not disclose the level of their funding. In order to honor that and extend the same courtesy to the rest of our donors, I have removed the dollar detail from the Donor section.
- Fundraising continues - we have plans to reach out to 3 local businesses and continue to communicate with other foundations that had donated to the original build. We also sent out an appeal letter to 100 other previous donors.
- The budget numbers for concrete and drilling remain unclear. PCI has expressed interest in providing the concrete at a discounted price but as yet has not given us any estimate. It may well come before we meet on the 31st, and we will revise it when it comes in. I daresay that it's not going to be significant. As for the costs of drilling, they are dependent on the presence of bedrock and will not be known until the drilling is done.
- The costs for getting power to the skatepark from the concession stand are not included in this estimate because it was understood that the City would perform that part.

I hope this update helps. Please email back if you have any questions.

Matt Young
Paul Fruzyna

Friends of Sturgeon Bay Skatepark**Project: Light the park for night use****Project Budget**

Labor to install lighting system	\$19,275.00	Eland Labor Bid
3 light poles, bases, control unit	\$39,000.00	Musco Lighting Bid
Contingency	\$2,000.00	Unknown materials and/or labor costs
Concrete - 9 yards	\$1,350.00	\$150/yard - google guess
Drill holes for bases	\$4,500.00	halfway between \$2700 - 6000
Donor Board	\$500.00	
Fundraising Expenses	\$1,420.50	3% of donations run through GBASO or GFM
Total Project Budget:	\$68,045.50	

Donors

Alyssum Tomberlin

Anonymous donation at DCCF

Anonymous gifts

Deb and Paul Whitelaw Gorski

Door County Eye Associates

Ed Hensley

Eland Electric

In-Kind Donation

George Draeb

GoFundMe crowdfunding

John/Laurel Hauser Family Foundation

Kendra Vandertie

Matt and Kirsten Dixner Young

Paul Fruzyina

Raibrook Foundation

Random People at Skatepark

Stoneman Schopf Agency Inc

Sturgeon Bay Police Dept

The Shallows

Tim Montee

Wilke Orthodontics

Funds Raised To-date: \$53,075.00**Balance to Fund:** \$14,970.50

08/23/2021

To the City of Sturgeon Bay Finance Committee;

Skateboard parks build and sustain healthy communities, it provides a gathering place for the young and old to the beginners to the skilled. It provides a space for positive activity and curbs unwanted behaviors. It also has significant physical health benefits. It provides a multi purposes recreational environment for skateboarding, BMX, Scooters, Wheelchairs and inline skating are just some of those.

Lights and evening use extend the facilities hours and help provide a safe haven that can be used year around. Setting skatepark hours as other public park operations within the city. I feel by adding lights to the skatepark and the cost of it through donated services, donations, grants and city's assistance along with the help from Sturgeon Bay Utilities will only benefit our youth and parents of the City of Sturgeon Bay. We need to add more outside recreational things for our youth to do.

Friends of Sturgeon Bay Skatepark Matt Young and Paul Fruzyna along with the assistance of GBASO have been the backbone to help make this happen and fulfill their goal by raising majority of these funds needed.

I ask that the Finance committee approve the "Light Up the Park" and provide infrastructure, maintenance and financial assistance as needed.

Sincerely,

Kirsten Reeths

District 7

MAYORAL APPOINTMENTS**9/7/21****WATERFRONT REDEVELOPMENT AUTHORITY**

Carrie Tjernagel

I have lived in Sturgeon Bay since 2014. I am involved in my church, and have helped with nonprofits such as Altrusa of Door County. I have volunteered coaching our daughter's basketball teams throughout the years.

Currently, I work as Property Coordinator for The Simple Life Hospitality, a vacation rental management company. I am co-owner of Next Door Neighbor, a concierge and cleaning company. I also work part-time as an account manager for Social Schools 4EDU managing social media for school districts.

I graduated with an English Major and Communication Minor from Wisconsin Lutheran College in Milwaukee.

Hobbies include fishing, boating, and fitness.

STREET CLOSURE APPLICATION

Name of Applicant:

BILL MURROCK

Name of Event:

HARVEST FEST CAR PARADE

Contact Phone #:

920-493-8400

Date(s) of Event:

9-17-2021

Time:

5:30 to 8:30 P.M.

Estimated # of Attendees:

200

Specific Location:

PENN. STREET

1st Ave to 3rd Ave

- ☐ Attach map of requested street closure area including barricades location, tent/booth location, or any street obstruction. The map must be in final form.
- ☐ Attach Certificate of Insurance with the City listed as ADDITIONAL INSURED. Limits as follows: Commercial General Liability - \$1,000,000 each occurrence limit; Fire Damage Limit - \$50,000 any one fire; Medical Expense Limit - \$5,000 any one person; and Workers Compensation - As required by the State of Wisconsin.
- ☒ NA Temporary Beer and/or Wine license has been applied for, approximately four weeks prior to the event date, by a qualified organization and fee paid. (If applicable.)
- ☒ Hold Harmless Agreement has been signed of Officer(s) of Event/Organization.
- ☒ Agreement for Reimbursement of Expenses has been signed by Officer(s) of Event/Organization.
- ☐ If tents larger than 20 x 20 are used, must agree to contact the Fire Department for inspection, prior to event.

What arrangements are made for clean up?

Car committee will clean up

Other comments or explanation:

Signature of Responsible Party:

Bill Murrock

Address:

405 N. 18th Ave. S.B.

Date Submitted:

(Street Closure applications may not be submitted/approved more than 90 days in advance of event date.)

Approval:

Fire Chief:

Tom D'Amico

Date:

9-2-21 (cert)

Police Chief:

[Signature]

Date:

9-2-21

Comm. Dev:

Mark [Signature]

Date:

9-2-21

Streets/Parks:

[Signature]

Date:

[Signature]

City Clerk:

[Signature]

Date:

9/2/21

Finance Dir:

[Signature]

Date:

9-2-21

City Engineer:

[Signature]

Date:

9/2/21

City Admin:

[Signature]

Date:

9/2/21

- see insurance
need exception from
Council

Common Council Approval Date:

- ☐ Copy of Approved Street Closure Application sent to EMS Director.

Old Bolts Car Club
Bill Murrock
405 N. 18th Ave.
Sturgeon Bay, Wi. 54235

City of Sturgeon Bay
Mayor David Ward and City Council

September 2, 2021

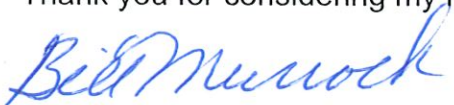
On September 18, the Harvest Festival is scheduled for Sturgeon Bay, it is one of the largest events of the season. The Old Bolts Car Club is proud to anchor the south end of 3rd Ave. with a large car show.

To kick off the weekend, on Friday, September 17, later afternoon, a car parade is planned. Starting at 4:30, cars will start to assemble at Tractor Supply in the large upper parking lot. At 5:30, the car parade will be lead by Bill Murrock with Sturgeon Bay Police escort through Sturgeon Bay, crossing the downtown bridges, ending in the grass area at Center Point Marina.

I'm looking for a short time of 3 hours to close Penn. Street, next to Martin Park, for people to gather and enjoy food from 3 three food trucks that have been arranged for that evening. Timing is from 5:30 to 8:30.

The Old Bolts Car Club is requesting a waiver of insurance for that short period of time.

Thank you for considering my request.



Bill Murrock
President of the Old Bolts Car Club.

HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

The undersigned certifies that he or she is a duly authorized agent of Old Boats Car Club, and is duly empowered and authorized to execute this hold harmless and indemnification agreement on behalf of the above referenced party.

The undersigned in consideration of being allowed to use City property to Penn. Street, which shall encroach in the public right-of-way adjacent to property located at Martin Park, do hereby release, acquit, and forever discharge the City of Sturgeon Bay, its officers, agents, and employees (hereinafter known as City), from any and all actions, causes of action, claims, demands, costs, expenses and compensation related to property damages, personal injury or death arising out of any accident or occurrence while maintaining said encroachment in the public right-of-way. The undersigned further agrees to hold harmless and defend the City from any claims or actions arising from said Old Boats Car Club as an encroachment in the public right-of-way.

The undersigned agrees that as a condition of the City approving the use as an encroachment in the public right-of-way, it will maintain usage, and continue to provide a minimum of six foot unobstructed area for public use and passage in said public right-of-way.

Dated this 1 day of September 2021.

By: Bill Munro

By: _____

**CITY OF STURGEON BAY
AGREEMENT FOR REIMBURSEMENT OF EXPENSES**

WHEREAS the City of Sturgeon Bay has created Section 3.035 of the Municipal Code authorizing the City Clerk - Treasurer to charge for reimbursement of legal, consulting, incidental, and special events expenses incurred on behalf of and/or for the benefit of third parties for services rendered by the City of Sturgeon Bay;

AND WHEREAS the undersigned has requested services and/or authorizations of the City of Sturgeon Bay which will result in the necessity to incur legal, consulting, incidental, or special event expenses on behalf of the undersigned or in consideration of the request submitted by the undersigned;

NOW, THEREFORE, IT IS AGREED that the undersigned will reimburse the City of Sturgeon Bay by providing payment to the City Clerk - Treasurer within fourteen (14) days of receiving an invoice, for all legal, consulting, incidental, and special event expenses incurred by the City of Sturgeon Bay for the benefit of the undersigned or for the consideration of the request submitted by the undersigned. These expenses are likely to include the following: Planning and engineering review, legal review and document preparation, recording, publication, special events, and miscellaneous expenses.

This Agreement must be signed prior to the initiation of any action by the City of Sturgeon Bay.

Dated: _____

9-1-2021

Bill Munack

Dated: _____

Company Name (if applicable): _____

Old Botta Car Club

Billing Address: _____

405 N. 18th Ave

Sturgeon Bay, WI 54235

Telephone: _____

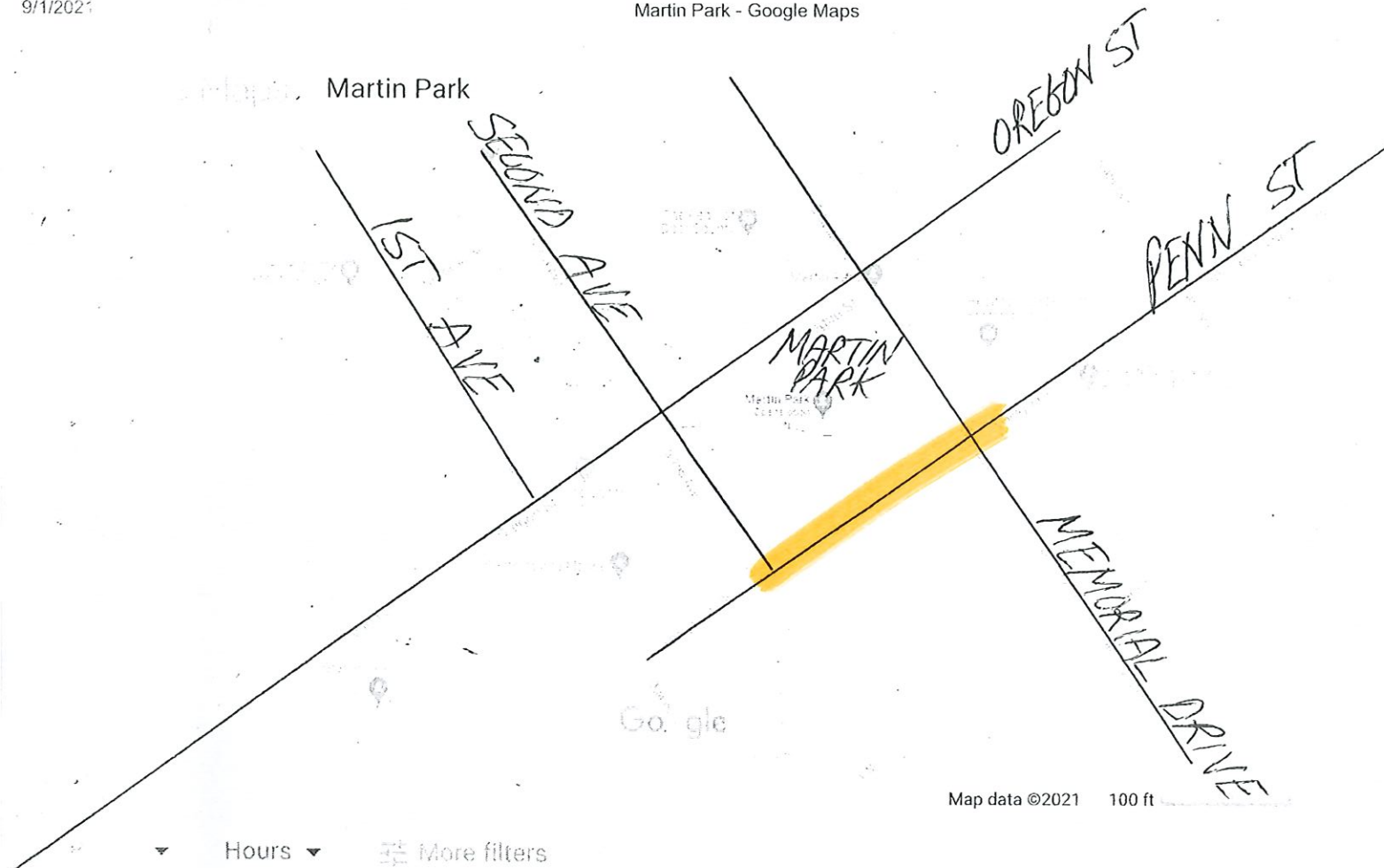
920-493-8900

3.035 - Reimbursement of expenses.

- (1) *[Authorization to charge for reimbursement.]* The city clerk-treasurer is authorized to charge for reimbursement of expenses incurred on behalf of and for the benefit of third parties for services rendered by the city. These reimbursable expenses include, but are not limited to:
- (a) *Legal, consulting, and incidental expenses.* Any expenses associated with service demands related to legal, consulting, and incidental services. These expenses include but are not limited to:
1. Mortgages and related documentation prepared by the city attorney for property transactions.
 2. Drafting and recording of documents for street vacation not initiated by the city.
 3. Drafting of ordinances related to zoning.
 4. Costs associated with annexations.
 5. Recording fees for planned unit developments and related zoning and subdivision actions.
 6. Legal publication, hearing notices, and postage.
 7. Engineering, planning, financial, and related consultants' reviews, studies, and inspections.
 8. Any other fees associated with service demands by third parties not specifically related to general governmental services.
- (b) *Special events expenses.* Any expenses associated with service demands related to special events. These expenses include but are not limited to:
1. Labor, equipment, and materials used before, during and after special events.
 2. Garbage/refuse and recycling pickup and disposal.
 3. Legal services related to event.
 4. Drafting of documents related to event.
 5. Administrative costs associated with service demands related to special events.
 6. Any other fees associated with service demands related to special events.
- (2) *Fees/deposit.*
- (a) *Fees.* Fees can only be charged upon prior notice to the petitioner who must sign an agreement to reimburse prior to initiating action. Prior to initiating any action, the department where petition is initiated shall secure the signed reimbursement agreement from petitioner and forward it to city clerk-treasurer.
- (b) *Deposit.* If reimbursement costs are estimated to be over \$250.00, a deposit in the estimated amount may be required by the city prior to initiating action. Petitioner shall pay for all costs that exceed deposit amount, and petitioner shall be reimbursed if deposit amount exceeds costs.
- (3) *Failure to pay fees.* If the fee is not paid within 30 days of the date of the mailing of the invoice, an additional administrative collection charge of ten percent of the total fee shall be added to the amount due, plus interest shall accrue thereon at the rate of 1.5 percent per month or fraction

thereof until paid. To the extent permitted by law, if the petitioner is the owner of the real estate for which the services are incurred, any delinquent fees shall be extended upon the current or the next tax roll as a special charge against the real estate premises for current services.

(Ord. No. 1040-0500, § 1, 5-16-00; Ord. No. 1088-0303, § 1, 3-4-03)



Martin Park

(117)
3rd Ave



the park with a band stage and clean

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Community Protection and Services Committee, hereby recommend the Common Council approve the changes as presented in Section 7.12 – Bicycles, play vehicles, and in-line skates of the City of Sturgeon Bay Municipal Code.

Respectfully submitted,
COMMUNITY PROTECTION AND SERVICES COMMITTEE
By: Dan Williams, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: August 5, 2021

* * * * *

Introduced by _____.

Moved by Alderperson _____, seconded by

Alderperson _____ that said recommendation be adopted.

Passed by the Council on the _____ day of _____, 2021.

7.12 Bicycles, play vehicles, and in-line skates.

- (1) *Registration and tagging of bicycles is optional.*
- (2) *Procedure for bicycle registration; release of abandoned bicycles to police department.* Registration shall be made by filing with the police department the name and address of the owner, along with a complete description of the bicycle, on forms provided by the department, and paying a registration fee of \$2.00. Registrations shall be serially numbered and kept on file in the police department as a public record. Upon such registration, the department shall cause an identification tag, which is serially numbered to correspond with the registration number, to be affixed to the bicycle registered. Such tag shall remain affixed to the bicycle, unless removed by the police department for cause or unless sold to another person. In case of theft or loss, a new identification tag shall be issued for a fee of \$1.00. All registrations shall be nonexpiring. No person shall retain in his/her possession a bicycle found abandoned within the city. Any person who finds an abandoned bicycle within the city shall notify the police department within 24 hours of the time of discovery and release such abandoned bicycle to the police department upon request.
- (3) *Sale of unclaimed abandoned bicycles.* Unclaimed abandoned bicycles shall be sold at a public auction as specified in § 66.28(1), Wis. Stats.
- (4) *Disposition of funds from bicycle registration and sale of abandoned bicycles.* All funds received from bicycle registration fees and from sale of unclaimed abandoned bicycles shall be paid to the clerk-treasurer.
- (5) *Suspension of bicycle registration.* No bicycle shall be registered which is in an unsafe mechanical condition. The chief of police or his/her designee may suspend the registration of and remove the identification tag from any bicycle which is operated contrary to any state law or city ordinance or which is operated while in an unsafe mechanical condition.
- (6) *Tampering with bicycle identification tag prohibited.* No person, other than a bicycle owner or a police officer authorized by the chief of police, shall willfully remove, deface or destroy a bicycle identification tag issued by the city.
- (7) *Riding bicycles on sidewalks.* Under the provisions of ~~§ 346.94(1)~~ § 340.01(43m), Wis. Stats., persons are permitted to ride a bicycle on public sidewalks, except where posted as prohibited.
- (8) *Use of play vehicles and in-line skates prohibited in certain areas.*

~~(a) No person shall use a play vehicle or in-line skates on any sidewalk or public or private parking lot located within the downtown area. For the purpose of this section, the boundaries of the downtown area are defined as follows:~~

- (a) Willful disregard for safety, recklessness, and/or deliberate destructive use while using bicycles, skateboards, roller-blades or play vehicles that would create a dangerous environment is prohibited on sidewalks and public property within the boundaries listed below:

East Side boundaries:

1. South boundary: Oregon St. from the Bay of Sturgeon Bay to S. Fifth Ave.
2. East boundary: S. Fifth Ave. from Oregon St. to Michigan St. and N. Fifth Ave. from Michigan St. to Jefferson St.
3. North boundary: Jefferson St. from N. Fifth Ave. to N. Third Ave., then north on N. Third Ave. to Iowa St., then west on Iowa St. to the Bay of Sturgeon Bay.
4. West boundary: The Bay of Sturgeon Bay from Iowa Street extended to Oregon St.

West side Boundaries:

1. South boundary: W. Oak St. from S. Lansing Ave. to Madison Ave., E. Oak St. from Madison Ave. to S. Neenah Ave., S. Neenah Ave. from E. Oak St. to E. Maple St., then east to the Bay of Sturgeon Bay.
2. East boundary: The Bay of Sturgeon Bay from E. Maple Street extended, to the Juniper St. cul-de-sac at the east end of Otumba Park.
3. North boundary: Juniper St. from the cul-de-sac at the east end of Otumba Park to N. Lansing Ave.
4. West boundary: N. Lansing Ave. from Juniper St. to Maple St., and S. Lansing Ave. from Maple St. to W. Oak St.

- (b) Sidewalks on either side of the streets defined in this subsection are considered to be within the boundaries of the downtown area.

- (9) *Use of bicycles or play vehicles where prohibited by property owners or occupants.* No person shall use a bicycle, play vehicles or in-line skates on any public or private parking lot or private driveway if the owner of the property or lawful occupant of the property has posted a sign prohibiting such activity. The owner or lawful occupant of such property may prohibit any or all of the activity described in this subsection by posting a sign with an appropriate notice. The sign must be at least 11 inches square and must be posted in a conspicuous place on or immediately adjacent to such parking lot or driveway. The notice must specify the activity which is prohibited and the name of the property owner or lawful occupant followed by the word "owner" or the word "occupant," whichever applies. Proof that an appropriate sign was posted within six months prior to the activity complained of shall be prima facie proof that the property was properly posted. The posting of such sign in accordance with this section provides authority for the police department to enforce this section on the posted private property.

(Code 1992, § 7.12; Ord. No. 999-1297, § 1, 12-2-97; Ord. No. 1348-0718, § 1, 7-3-18)

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- (8) *Use of play vehicles and in-line skates prohibited in certain areas.*
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(Code 1992, § 7.12; Ord. No. 999-1297, § 1, 12-2-97; Ord. No. 1348-0718, § 1, 7-3-18)

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the City Plan Commission, hereby recommend approval of the final Planned Unit Development (PUD) for Northpointe Development Corp. to develop a 53-unit multiple-family dwelling, located on Lot 1 of certified survey map #3476 (also known as Development Site A) of the West Waterfront Redevelopment Area on the north side of E. Maple Street, subject to the following conditions:

1. Execution of the Development Agreement between the City of Sturgeon Bay and Northpointe Development Corporation.
2. Roof drainage shall be directed to the storm sewer located to the northwest of the building.

Respectfully submitted,
CITY PLAN COMMISSION
By: David Ward, Chair

RESOLVED, that the foregoing recommendation be adopted.

Date: August 18, 2021

Introduced by _____

Moved by _____ and seconded by _____ that
said recommendation be adopted.

Passed by the Council on the ____ day of _____, 2021.

STAFF REPORT
Final PUD Review for Breakwater Residences
53-Unit Apartment Building for Northpointe Development Corp.

Proposal: Andy Dumke, representative for Northpointe Development Corp. is petitioning for approval of a Planned Unit Development (PUD) to be located on a portion of the west waterfront redevelopment site currently owned by the City. The location is known as Development Site A of the request for proposals (RFP) issued last year by the City. The Plan Commission and Council through the RFP process reviewed three development proposals and chose to work with Northpointe.

The project includes the construction of a 5-story, 53-unit apartment building. The area of the site is 40,290 sq. ft. The site is zoned Central Business District (C-2). Under this zoning classification Multiple-Family Residential uses require a conditional use approval granted by the Plan Commission. However, this proposal is required to go through the PUD process, which is a more extensive review process, due to have more than 24 units on the lot. In addition, this proposal does not meet some of the basic rules of the zoning code including: density, setbacks, height, and off-street parking. A PUD is a special type of zoning classification that allows for altering the underlying development requirements for unique projects that do not fit neatly into one of the standard zoning districts.

Review Process: The Preliminary PUD was previously approved by the Plan Commission and Council. A public hearing was conducted as part of the preliminary PUD, which showed mostly support for the project. The Plan Commission makes a recommendation on the final PUD plans, and the Council upon approving the recommendation will conduct two readings of the ordinance (approximately 1 month). The Aesthetic Design and Site Plan Review Board has issued a certificate of appropriateness for the final project plans.

Existing Conditions: The subject site was former part of the Door County Cooperative facility and has been vacant since 2013. This site is located with the regulated Floodplain.

Surrounding Uses:

- North: Granary Building, Public Space, Maritime Museum, Promenade (C-2)
- East: Vacant with a mixed-use development proposal in progress (C-2)
- South: Cellcom / Glas Coffee, Bayside Bargains (C-2)
- West: Graystone Castle, DeJardin Cleaners, Bridge Salon, Lift (C-2)

Comprehensive Plan: The Future Land Use Map of the 2040 Comprehensive Plan designates this site for Downtown Mixed Use. This area is intended for a mix of retail, commercial services, offices, institutional, governmental, and residential uses arranged in a pedestrian-oriented environment with on-street parking, minimal building setbacks; and building design materials, placement, and scale that are compatible with the character of existing development. The existing C-2 zoning district is the recommended zoning for areas with this designation. The Housing Chapter also identifies the need to Diversify new housing projects, support infill developments with higher densities

particularly in the downtown area, and support multiple-family housing. The development proposal does not conflict with the Comprehensive Plan.

Site Plan and Design Considerations: The following is a summary of the major site and design subjects:

Building Layout: The building is pushed closer to the north lot line and puts access and surface parking in the front of the building off of Maple Street. The building has a rear yard 18 feet which does encroach the normal 25-foot minimum rear yard setback. All other setbacks are met. The building shape and site layout fits the project site.

Access: Vehicular access will be off of East Maple Street, which leads to a surface parking lot and loading zone, and also leads to the parking garage. Pedestrian access will be from the front of the building leading to Maple Street, the east side of the building leading to the potential shared parking lot, and the west side of the building leading to Locust Ct. The building contains 2 stairway systems and 2 elevators for accessing all the floors.

Density: The zoning code allows for 12.4 units (or 3500 sq. ft.) per acre. This project is proposing 53.01 units (or 760 sq. ft.) per acre. This will require a deviation to be granted by the City through the PUD ordinance.

Building Design: The proposed building is 57 feet in overall height including 4 floors of apartments and 1 floor of parking. The normal maximum building height in the C-2 district is 45 feet. Building design is similar to the Bay Lofts project. The building does not contain a lot of long/flat surfaces due to the recess and bump out in the façade. In addition, there are balconies and patios that add to the design. The box-like design matches the downtown theme. Adding a cornice to the upper façade is also a positive element that match the historic downtown areas. The overall footprint of the building provides texture and uniqueness. The top floor contains a community room with a deck and roof.

The developer is proposing a combination of materials for the exterior of the building including a light mist lap siding, a light mist shake siding, and wood grain accent siding.

Mix of Units: There are 32 one-bedroom units and 21 two-bedroom units. 13 of the total units have their own den. Each floor contains 13-14 units.

Parking: There are 44 interior parking spaces and 14 surface parking spaces; totaling 58 parking spaces onsite. The Zoning Chapter requires a total of 85 parking spaces based on the unit mix. This will require a deviation to be granted by the City through the PUD ordinance or a payment in lieu of providing the 27 spaces. The project also identifies the potential to create a shared parking lot to the north of this site including 33-37 stalls. This is only a concept at this point and would need to be constructed by City. The developer and City have tentative agreement on a development agreement that includes the proposed parking lot and a \$1000 per deficient space payment by the developer to help

cover the cost. The developer is also in discussions with the Graystone Castle regarding leasing a portion of their parking area.

Pedestrian Access: There are public sidewalks along E Maple Street and none on E locust. There are also public sidewalks along the drive aisle of the City parking lot. Their plans show concrete sidewalks extending around the front of the building and up to those public sidewalks. They also show sidewalks leading to the shared parking lot and to the Greystone parking lot to the west.

Traffic: The City Engineer is not requiring a traffic study for this project. No significant changes to the surrounding streets or traffic pattern are anticipated or planned.

Utilities: Sewer and water laterals will be extended from the existing mains in Maple Street. There are no significant issues from SBU; however, meters cannot be located within the interior parking area.

Stormwater Management: The City Engineer is not requiring stormwater detention for this project because the existing site is already nearly 100% impervious. The developer's grading plan directs the runoff to appropriate existing catch basins. The City Engineer is requiring the roof water to drain to the storm sewer servicing the parking area by the Maritime Museum.

Landscaping: This project is required to install 2 canopy trees and 6 street trees. The final plans show 13 trees. The planting beds to have specific regulations under the zoning code. The landscape plan has been approved by the Aesthetic Design and Site Plan Review Board.

Lighting: The final lighting plans is compliant with the City's design standards and have been approved by the Aesthetic Design and Site Plan Review Board. The plan includes a combination of wall pack lights and lighting on poles. These all are night sky friendly and contained with the defined project area.

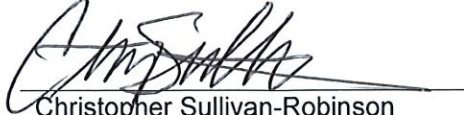
Signage: Backlit stainless-steel signs are proposed in several areas. These appear to be compliant with the sign regulations and the City's design guidelines. The Aesthetic Design and Site Plan Review Board has approved the signage plan.

PUD Review Criteria: The Plan Commission and Council must consider whether the development is consistent with the spirit and intent of the City's ordinance, has been prepared with competent professional guidance, and produces benefits to the city compared to conventional development. In addition, there are specific criteria listed in the zoning code.

Recommendation: Staff recommends to approve the final PUD including the proposed deviations from the C-2 zoning requirements for height, density of units, and rear yard setback subject to the following conditions:

1. All roof water must drain to the storm sewer system to the northwest of the building as determined by the City Engineer.
2. The developer and City enter into a development agreement regarding the use of the property, obligations, easements, and any other pertinent parameters.


Prepared by:


Christopher Sullivan-Robinson
City Planner/Zoning Administrator

9.1.21

Date

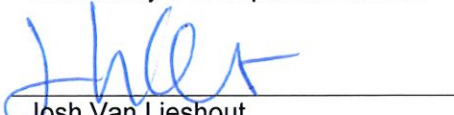
Prepared by:


Marty Olejniczak
Community Development Director

9-1-21

Date

Reviewed by:


Josh Van Lieshout
City Administrator

9/2/21

Date

ORDINANCE NO. __

THE COMMON COUNCIL OF THE CITY OF STURGEON BAY, WISCONSIN DO
ORDAIN AS FOLLOWS:

SECTION 1: The following described property is hereby rezoned from Central Business District (C-2) to Planned Unit Development (PUD) and shall be subject to the approved final site plan and requirements incorporated herein:

Lot 1 of Certified Survey Map No. 3476, recorded as Document #845579.

SECTION 2: The following requirements and conditions are placed upon the property described within the legal description:

A. Underlying Zoning: The underlying zoning district shall be C-2 Central Business District. The permitted uses and other zoning requirements of the underlying district shall apply, except as otherwise indicated under the PUD requirements shown below or in the approved final PUD plans.

B. PUD Requirements: The requirements of the underlying C-2 district shall apply except that a 53-unit multiple-family dwelling shall comply with the approved final plans and the following requirements:

1. Building Height. The maximum height shall not exceed 5 stories and 57 feet in building height.
2. Density. The minimum lot area per dwelling unit shall be 760 square feet. The total number of dwelling units within the PUD shall not exceed 53 residential units.
3. Rear Yard (setback). The minimum rear yard shall be 15 feet.
4. Parking. The number of on-site parking spaces shall not be less than the number of apartment units. A payment in lieu of providing on-site parking spaces shall be made for all parking spaces required under s. 20.31 that are not created on-site.
5. Outdoor Lighting. Any exterior lighting shall be designed with cutoff fixtures to reflect light away from adjacent parcels and public streets, and away from the night sky.
6. Stormwater Management. Drainage facilities shall conform to the stormwater management plan approved by the City Engineer. Roof water shall be directed to storm sewer located northwesterly of the building.

SECTION 3: This ordinance shall take effect on the day after its publication.

Approved:

David J. Ward, PhD.
Mayor

Attest:

Stephanie Reinhardt
City Clerk

CITY OF STURGEON BAY PLANNED UNIT DEVELOPMENT APPLICATION

Date Received: _____
 Fee Paid \$ _____
 Received By: _____

Application For: Conceptual ___ Preliminary ___ Final X Combined Preliminary/Final ___
 Note: There are different requirements for each of the above processes. A separate application is required for each.

NAME OF PROPOSED PLANNED UNIT DEVELOPMENT: Breakwater Residence

	APPLICANT/AGENT	LEGAL PROPERTY OWNER
Name	Robert Feller	Breakwater Apartments - Sturgeon Bay, LLC
Company	Knothe Bruce Architect	
Street Address	7601 University Ave	230 Ohio Street
	Suite 201	Suite 200
City/State/Zip	Middleton, WI 53562	Oshkosh, WI 54902
Daytime Telephone No.	608-836-3690	920-379-1645
Fax No.		

STREET ADDRESS(s) OF SUBJECT PROPERTY: 54 East Maple St., Lot 1
 Location if not assigned a common address: _____

TAX PARCEL NUMBER(s): _____

AREA OF SUBJECT PROPERTY AND NO. OF LOTS: 40,291 sq.ft. - 1 lot

CURRENT ZONING CLASSIFICATION: C-2 Central Business District

CURRENT USE AND IMPROVEMENTS: Commercial/Vacant

COMPREHENSIVE PLAN DESIGNATION OF SUBJECT PROPERTY: Commercial/Industrial

WOULD APPROVAL OF THE PROPOSED PLANNED UNIT DEVELOPMENT CONFORM WITH THE COMPREHENSIVE PLAN? Yes X No _____ Explain: _____
While the proposed developed varies from commercial/vacant, the Zoning District allows for residential uses.

PLEASE IDENTIFY SPECIFIC PROPOSED LAND USES. USES MUST IDENTIFY AND CORRESPOND TO A PARTICULAR LOT, LOCATION, BUILDING, ETC. Multi-family Residential

CURRENT USE AND ZONING OF ADJACENT SURROUNDING PROPERTIES:

North: C-2 Central Business District
South: C-2 Central Business District
East: C-2 Central Business District
West: C-2 Central Business District

COMPREHENSIVE PLAN DESIGNATION OF ADJACENT SURROUNDING LAND USES:

North: Industrial
South: Commercial
East: Vacant
West: Commercial/Industrial

IS ANY VARIANCE FROM COMPREHENSIVE PLAN, SUBDIVISION ORDINANCE, OR ZONING ORDINANCE BEING REQUESTED? If yes, describe:
N/A

HAVE THERE BEEN ANY VARIANCES, CONDITIONAL USE PERMITS, ETC. GRANTED PREVIOUSLY FOR THIS PROPERTY? N/A IF YES, EXPLAIN:

Attach an 11" X 17" detailed site plan (if site plan is larger than 8-1/2" x 11", also include 20 copies folded to 8-1/2" X 11"), full legal description (preferably on disk), location map with site boundaries marked, proof of ownership, and Agreement for Reimbursement of expenses. Site or plot plan shall include dimensions of property, structures, building elevations, proposed site improvements, signature of person who drew plan, etc.

Andrew Dumlak
Property Owner (Print Name)

Robert Feller
Applicant/Agent (Print Name)

[Signature]
Signature

[Signature]
Signature

6-4-21
Date

08/04/2021
Date

I, Robert Feller, have attended a review meeting with at least one member of staff and understand that I am responsible for sign placement and following all stages listed on the check list in regard to the applicant.

06/01/2021

Date of review meeting

[Signature]
Applicant Signature

[Signature]
Staff Signature

Attachments:
Procedure & Check List
Agreement For Reimbursement of Expenses

STAFF USE ONLY

Application conditions of approval or denial:

Date

Community Development Director

August 4, 2021

City of Sturgeon Bay
Plan Commission
421 Michigan St
Sturgeon Bay WI 54235

Re: Narrative - Planned Unit Development (PUD)
General Plan Approval
Breakwater Residence
54 E Maple St, Sturgeon Bay WI

Plan Commission Meeting Date: August 18, 2021
Final Planned Unit Development Site Plan



The following is submitted together with the site plan and application for Plan Commission consideration.

Organizational Structure:

Developer: Northpointe Development Corp
230 Ohio Street, Suite 200
Oshkosh, WI 54902
Phone: 920-379-1645
Contact: Andy Dumke
andy@alliancedevelopment.biz

Architect: Knothe & Bruce Architects, LLC
760 I University Avenue, Ste. 201
Middleton, WI 53562
Phone: 608-836-3690
Contact: Bob Feller
bfeller@knothebruce.com

Project Description:

The property legal descriptions are: Lot 1, Block 9 of Harris First Addition and also a part of Lots 1, 6 and 7, Block 8 of Bayview Plat and all of Lots 2, 3, 4 and 5, Block 8 of Bayview Plat and also part of Subdivision 76. All located in: The NE ¼ of Section 7, Township 27 North, Range 26, East, City of Sturgeon Bay, Door County, Wisconsin.

The properties are currently zoned C-2 Central Business District and the proposed use will work well with the proposed redevelopment of Lots 1, 2 and 3.

The proposed project is residential development consisting of a single building and will be completed in a single phase. The building is a four story, 53-unit apartment building with an underbuilding parking garage and a mixture of residential units. The design team has participated in regular coordination meetings with City Staff and designers for the adjacent developments on Lots 2 and 3. It is our opinion the entire development has been designed to work as a well planned whole.

Standards

The project is being proposed as a PUD to allow for this Residential development.

This project will not substantially impair or diminish the use, value, and enjoyment of other properties within this neighborhood. Quite the opposite. This project will enhance the character of the neighborhood and bring additional opportunities for housing.

During the June 30, 2021 Plan Commission Meeting, an overwhelming number of community members spoke out in favor of the development siting the immediate need for this type of housing to attract and retain individuals working in the area.

The site has been designed to facilitate safe pedestrian and vehicular traffic flow. Accessible routes will be provided to residential spaces.

The project will comply with the City Erosion Control and Stormwater Management requirements. Infiltration areas will be provided as required.

Each unit has a private patio or deck. Other amenities include a community room, exercise room, and outdoor residential patio space.

The anticipated development schedule is such:

Full plans completed: 10/31

Final Bids due (3 weeks): 11/21

Pull permit, groundbreaking ceremony (if city desires) and start construction: 12/15/21

12 months construction: 12/15/22

Occupancy permit & placed in service by 1/1/23

Ribbon cutting and open house: on or around 1/15/23

5 month lease up. Fully stabilized 5/1/23

Site Development Data is listed on the next page.

We are requesting to present at the August 18, 2021 Plan Commission Meeting, with hopes of having the Common Council first reading on September 7, 2021 and the second reading on September 21, 2021.

Site Development Data:

<u>Densities:</u>	
Lot Area	40,291 S.F. 0.92 acres
Dwelling Units	53DU
Lot Area / D.U.	760 S.F./D.U.
Density	57.6 units/acre
Lot Coverage	28,257 S.F. (40%)
Building Coverage	17,775 S.F. (25%)

Area e Residential Area:

Garage Level=	17,775 S.F.
First Floor =	17,011 S.F.
Second Floor=	16,940 S.F.
Third Floor=	16,940 S.F.
<u>Fourth Floor =</u>	<u>17,005 S.F.</u>
Total=	85,671 S.F.

Building Height

4 stories= 45'-0" on top of 10'-3" garage

Dwelling Unit Mix:

One Bedroom	27
One Bed + Den	5
Two Bedroom	13
Two Bed + Den	<u>8</u>
Total	53 units

Vehicle Parking:

Underground	42
<u>Surface</u>	<u>14</u>
Total	56 vehicle stalls

Thank you for your time reviewing our proposal.

Sincerely,



Robert Feller, AIA, NCARB

Knothe Bruce Architect

Breakwater Residences

Grading, Drainage, Erosion Control, & Utility Plans

JOB NUMBER
22357

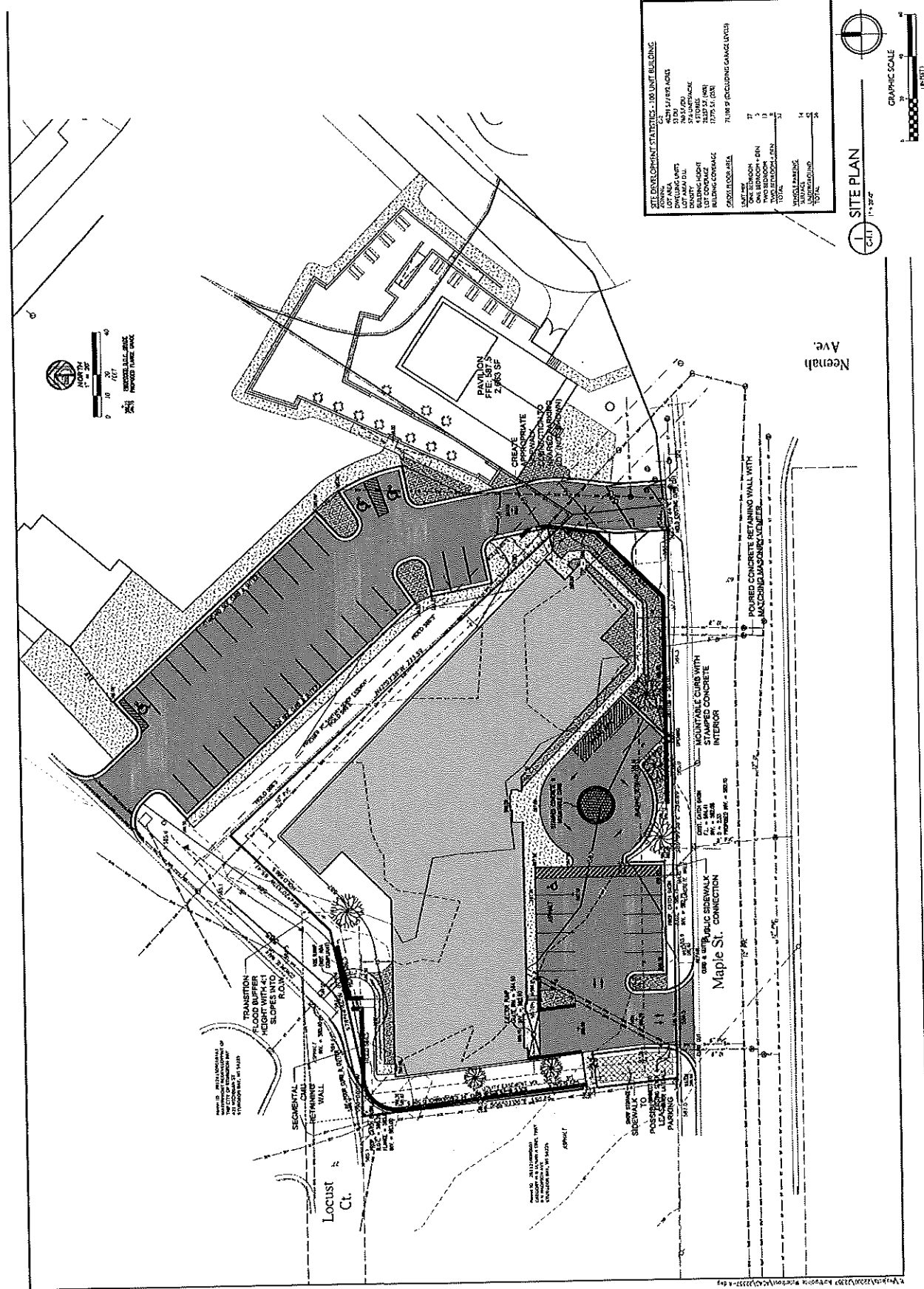


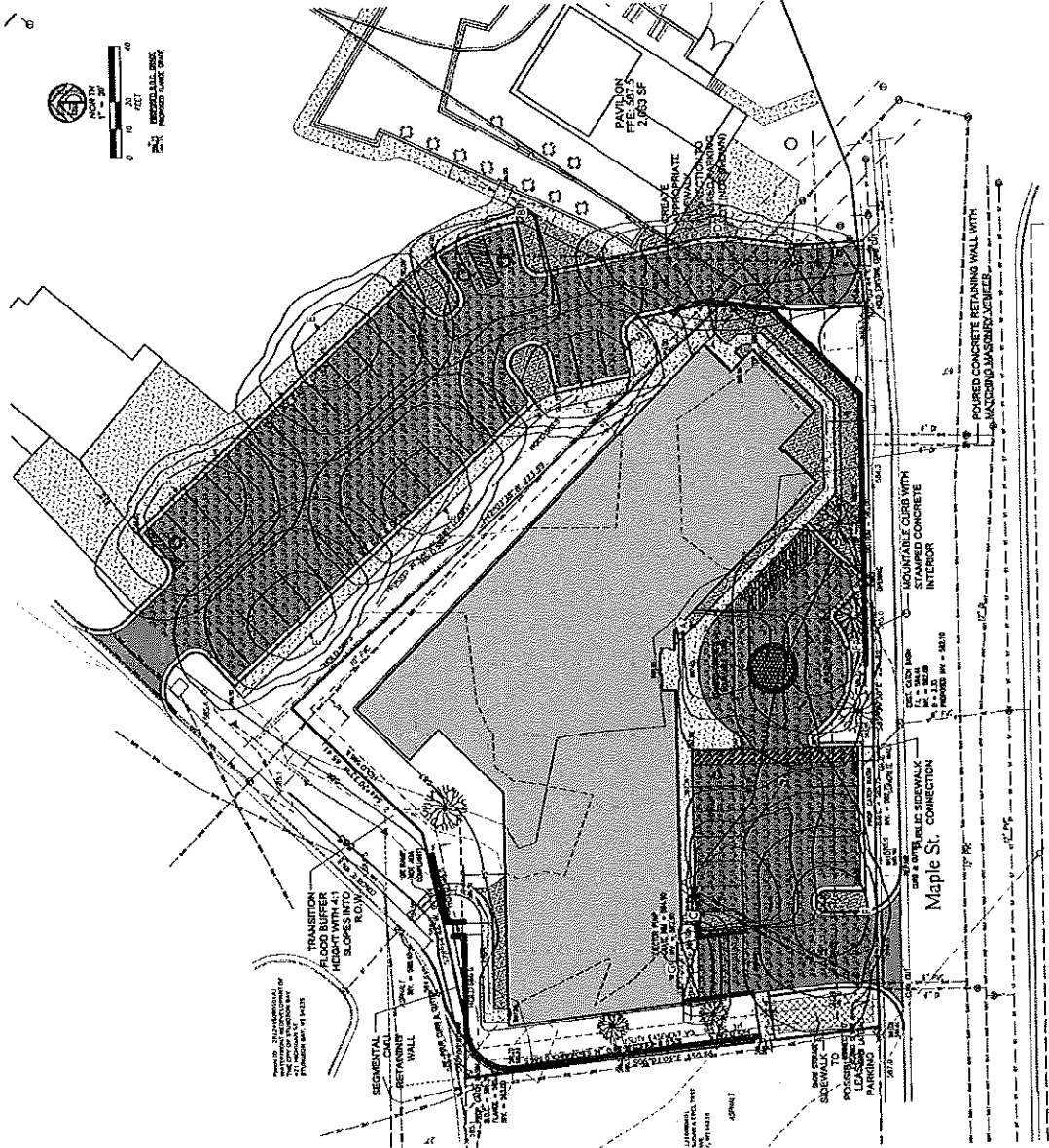
INDEX OF SHEETS
COVER & INDEX SHEET
C100
C101
C102
C103
C104
C105
C106

COVER & INDEX SHEET
DEMOLITION & EXISTING CONDITIONS PLAN
GRADING, DRAINAGE, & EROSION CONTROL PLAN
PROPOSED UTILITY SITE PLAN
PROPOSED LANDSCAPE PLAN
PROPOSED CONSTRUCTION DETAILS



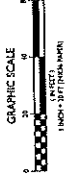
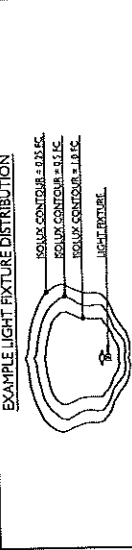




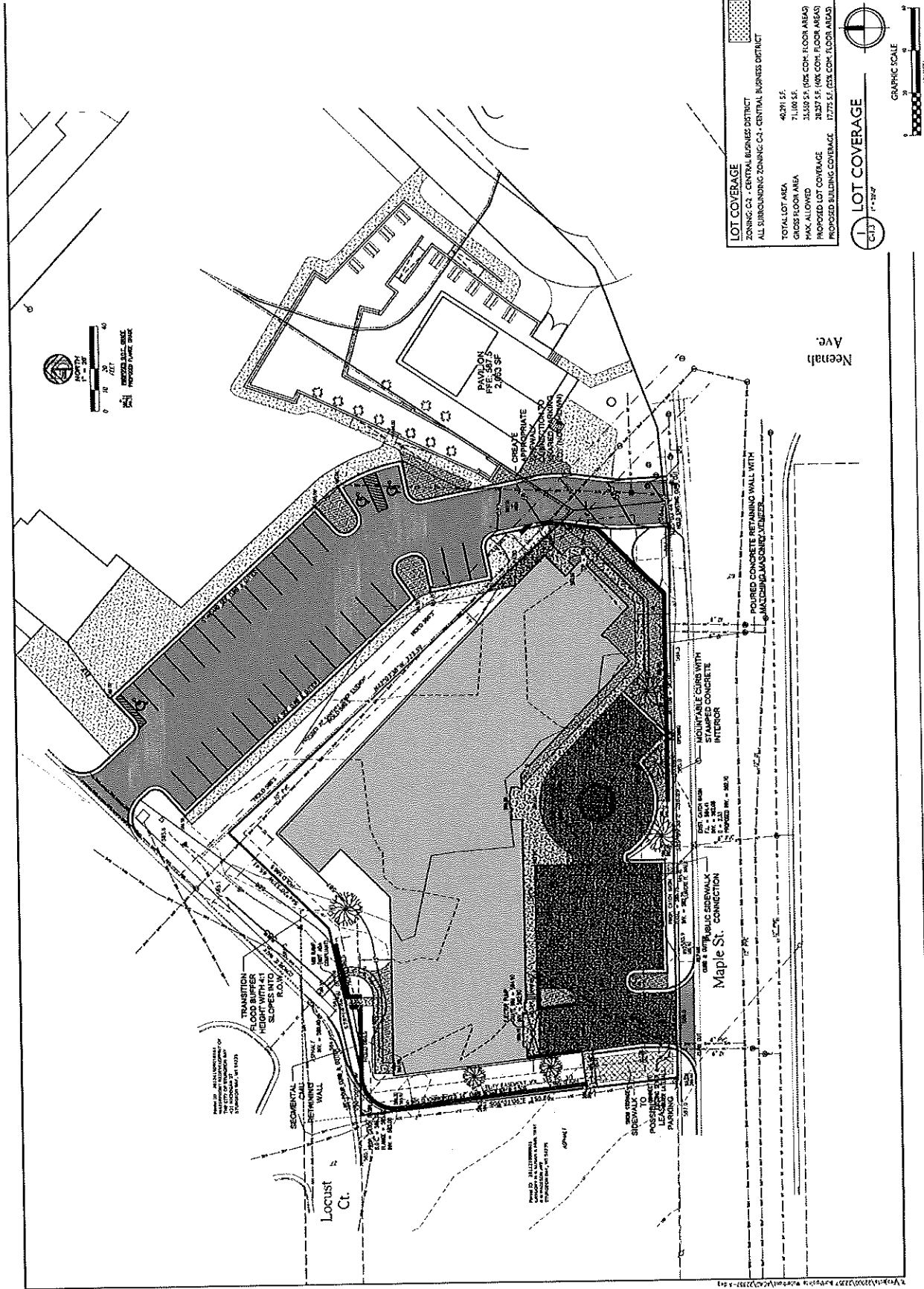


SYMBOL	AVG.	MAX.	MIN.	MAX / MIN	AVG / MIN
DESCRIPTION					
Parking Garage Entry Security Lighting	1.76	6.36	0.36	20.71	3.71
Building Parking Area Lighting	1.16	3.56	0.36	11.21	2.71
Adjacent Parking Area Lighting	1.96	4.96	0.36	13.31	3.31

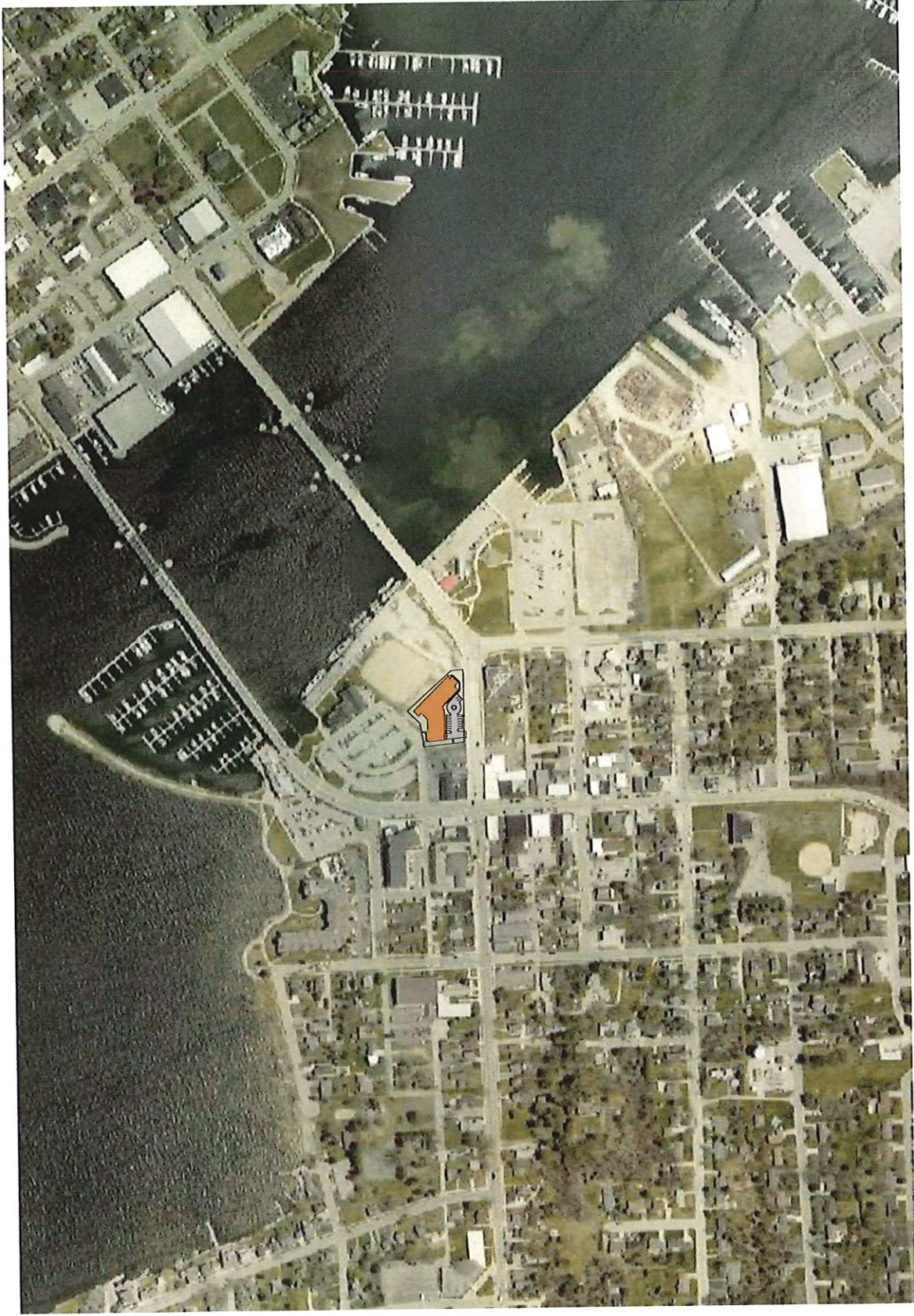
SYMBOL	LABEL	QTY.	PACKAGE	CATALOG	DESCRIPTION	FILE	MOUNTING
A	1	1	1	1	1	1	1
B	1	1	1	1	1	1	1
C	1	1	1	1	1	1	1
D	1	1	1	1	1	1	1
E	1	1	1	1	1	1	1
F	1	1	1	1	1	1	1
G	1	1	1	1	1	1	1



SITE LIGHTING PLAN



BREAKWATER RESIDENCES
 54 E MAPLE STREET - STURGEON BAY, WI



PROJECT LOCATION
 NO SCALE
 NORTH

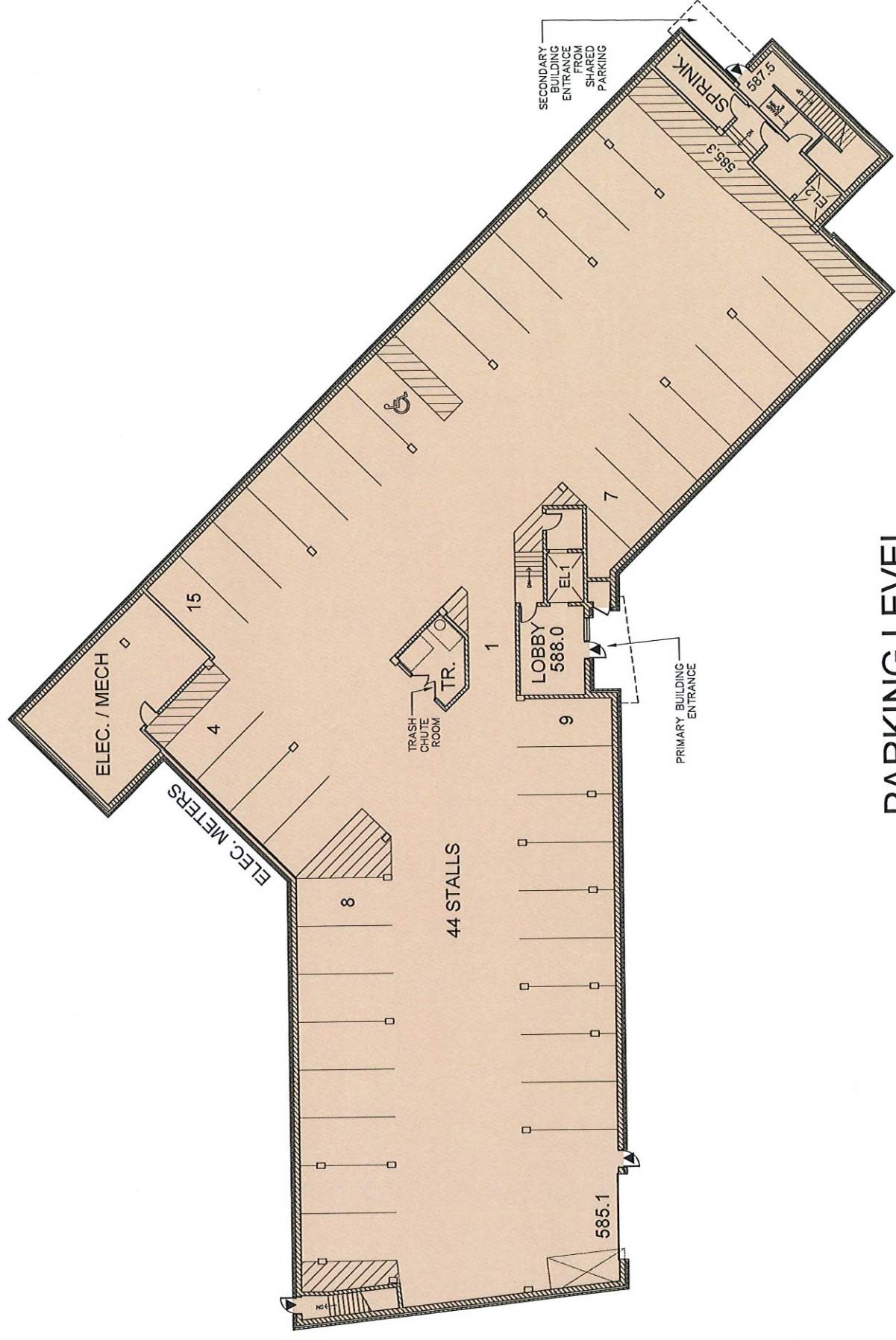
SHEET
A0.1

PRELIMINARY DATES	
05/18/21	
06/02/21	
07/26/21	
08/04/21	
NOT FOR CONSTRUCTION	

PRELIMINARY DATES

05/19/21
06/02/21
07/26/21
08/04/21

****NOT FOR CONSTRUCTION****



PARKING LEVEL

FLOOR PLAN
 SCALE: 1/8" = 1' (WITH FULL SIZE PRINTS)

PRELIMINARY DATES

04/10/21	06/02/21	07/26/21	08/04/21

****NOT FOR CONSTRUCTION****



CONCEPT
 FLOOR PLAN
 SCALE: 1/8" = 1' (WITH FULL SIZE PRINTS)

FIRST FLOOR

BUILDING HEIGHT =	57' MAX
*HEIGHT MEASURED FROM TOP OF NEW FLOOD BUFFER	
UNITS TO TOP OF FINISHED	
PROJECT DENSITY =	1 UNIT PER 760 S.F.
S.U. UNITS / 44,200 S.F. = 760 S.F.	

UNIT MIX	1 BEDS	1 BED + DEN	2 BEDS	2 BED + DEN	UNITS PER FLOOR
1ST	7	1	3	2	13
2ND	6	1	4	2	13
3RD	8	1	3	2	14
4TH	6	2	3	2	13
	27	5	13	8	53

AVERAGE S.F. = 765 S.F. 4,030 S.F. 1,238 S.F.

PARKING COUNT	STALLS
UNDERGROUND SURFACE	44
	14
SUBTOTAL ON SITE	58
SHARED PARKING PER CONCEPT LAYOUT	33
CHANGE TO 8' STALLS IN SHARED LOT	3
TOTAL AVAILABLE	94

1.1 STALLS PER UNIT
 1.8 STALLS PER UNIT

PRELIMINARY DATES

06/19/21	07/26/21	08/04/21

NOT FOR CONSTRUCTION



FLOOR PLAN
 SCALE 1/8" = 1' (WITH FULL SIZE PRINTS)

PRELIMINARY DATES	
02/19/21	CONCEPT
03/02/21	SCHEMATIC
08/04/21	DESIGN
NOT FOR CONSTRUCTION	



THIRD FLOOR

FLOOR PLAN
 SCALE: 1/8" = 1' (WITH FULL SIZE PRINTS)

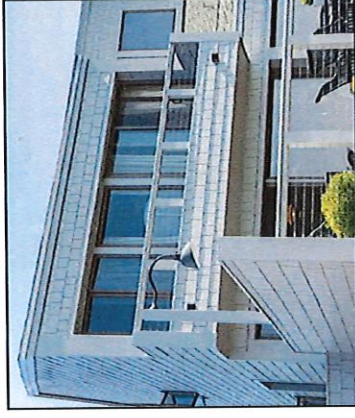




BREAKWATER RESIDENCES

54 E MAPLE STREET - STURGEON BAY, WI

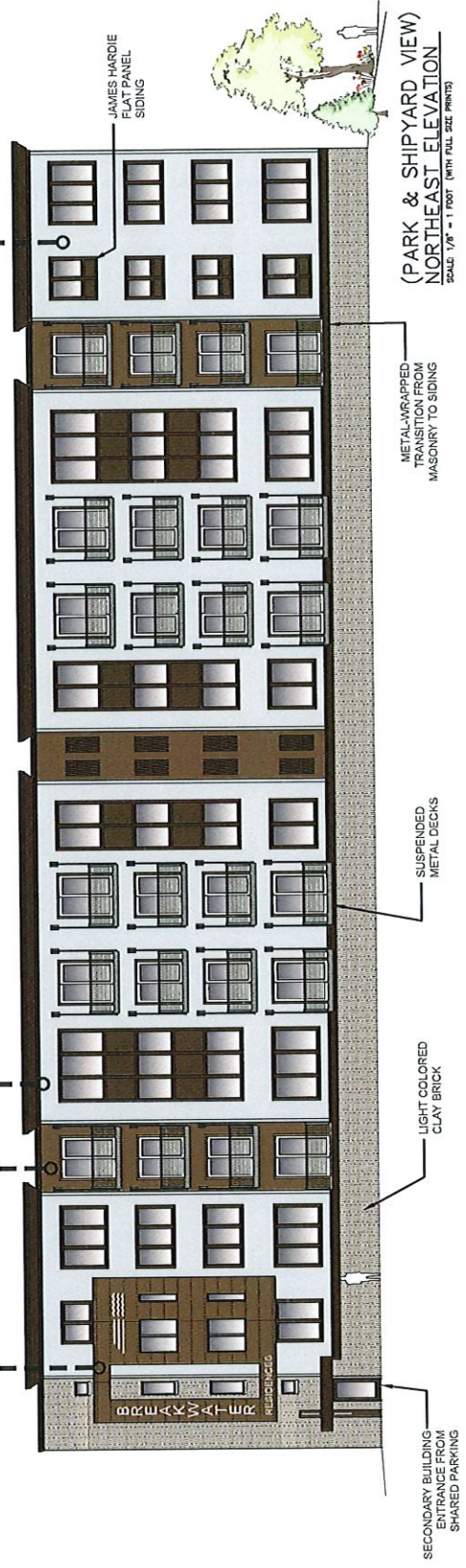
OVERALL SIDING:
• JAMES HARDIE LAP SIDING - COLOR 'LIGHT MIST'



INSPIRATION IMAGE:
• BRONZE METAL INFILLS AND TRIM
• BRONZE CASEMENT WINDOWS
• BRICK - ENDICOTT - LIGHT GREY BLEND



WOOD GRAIN ACCENT SIDING:
• NICHHA RIFTSAWN - COLOR 'CHESTNUT'



REVISIONS

DATE	DESCRIPTION
05/19/21	
07/29/21	
08/04/21	

****NOT FOR CONSTRUCTION****



RAISED LETTER BACKLIGHTING COLORS:

Blue wavy line	BLUE #1
Blue solid line	BLUE #2
Blue dashed line	BLUE #3
White solid line	WHITE

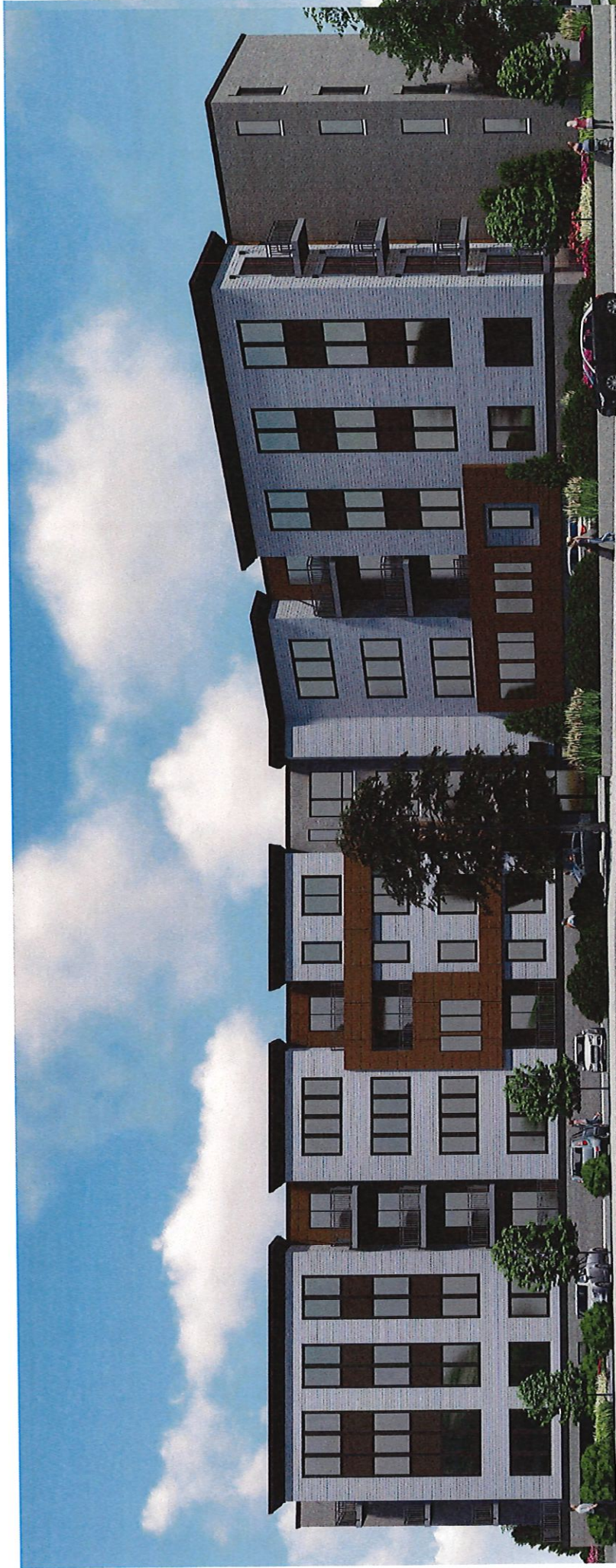


PRECEDENT
ARCHITECTURE LLC

NORTHPOINTE
DEVELOPMENT CORPORATION

BREAKWATER
RESIDENCE

knothe bruce
ARCHITECTS



NORTHPOINTE
DEVELOPMENT CORPORATION

PRECEDENT
ARCHITECTURE - LLC

**BREAKWATER
RESIDENCE**

knothe bruce
ARCHITECTS

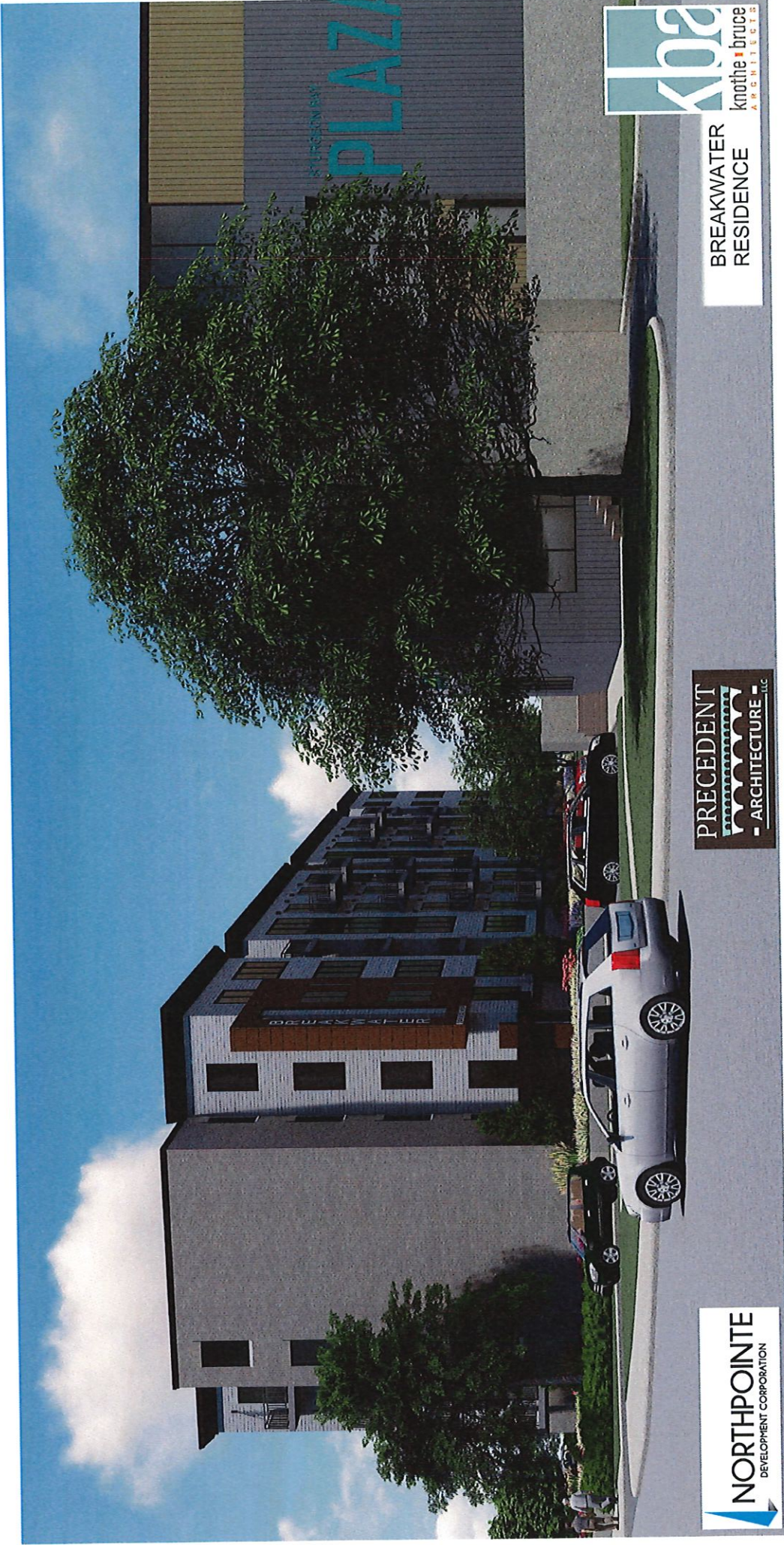


PRECEDENT
ARCHITECTURE LLC

NORTHPOINTE
DEVELOPMENT CORPORATION

kb2
knothe + bruce
ARCHITECTS

BREAKWATER
RESIDENCE



NORTHPOINTE
DEVELOPMENT CORPORATION

PRECEDENT
ARCHITECTURE - LLC

**BREAKWATER
RESIDENCE**

knothe bruce
ARCHITECTS



NORTHPOINTE
DEVELOPMENT CORPORATION

PRECEDENT
ARCHITECTURE - LLC

**BREAKWATER
RESIDENCE**

knothe bruce
ARCHITECTS



NORTHPOINTE
DEVELOPMENT CORPORATION

PRECEDENT
ARCHITECTURE - LLC

**BREAKWATER
RESIDENCE**

knothe bruce
ARCHITECTS

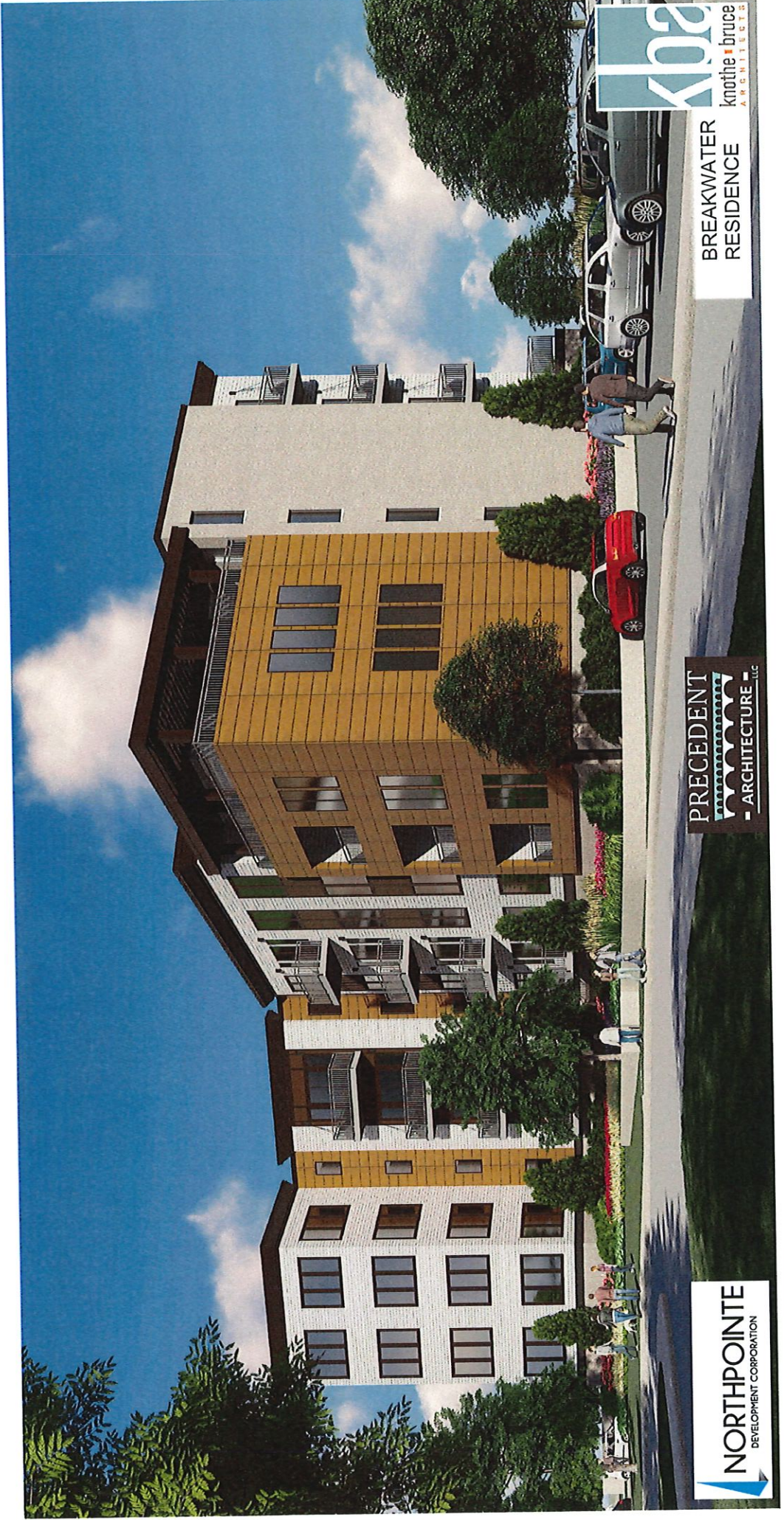


NORTHPOINTE
DEVELOPMENT CORPORATION

PRECEDENT
ARCHITECTURE - LLC

**BREAKWATER
RESIDENCE**

knothe + bruce
ARCHITECTS



NORTHPOINTE
DEVELOPMENT CORPORATION

PRECEDENT
ARCHITECTURE LLC

**BREAKWATER
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kb2
knothe • bruce
ARCHITECTS



NORTHPOINTE
DEVELOPMENT CORPORATION

PRECEDENT
ARCHITECTURE - LLC

**BREAKWATER
RESIDENCE**

knothe bruce
ARCHITECTS

CERTIFIED SURVEY MAP

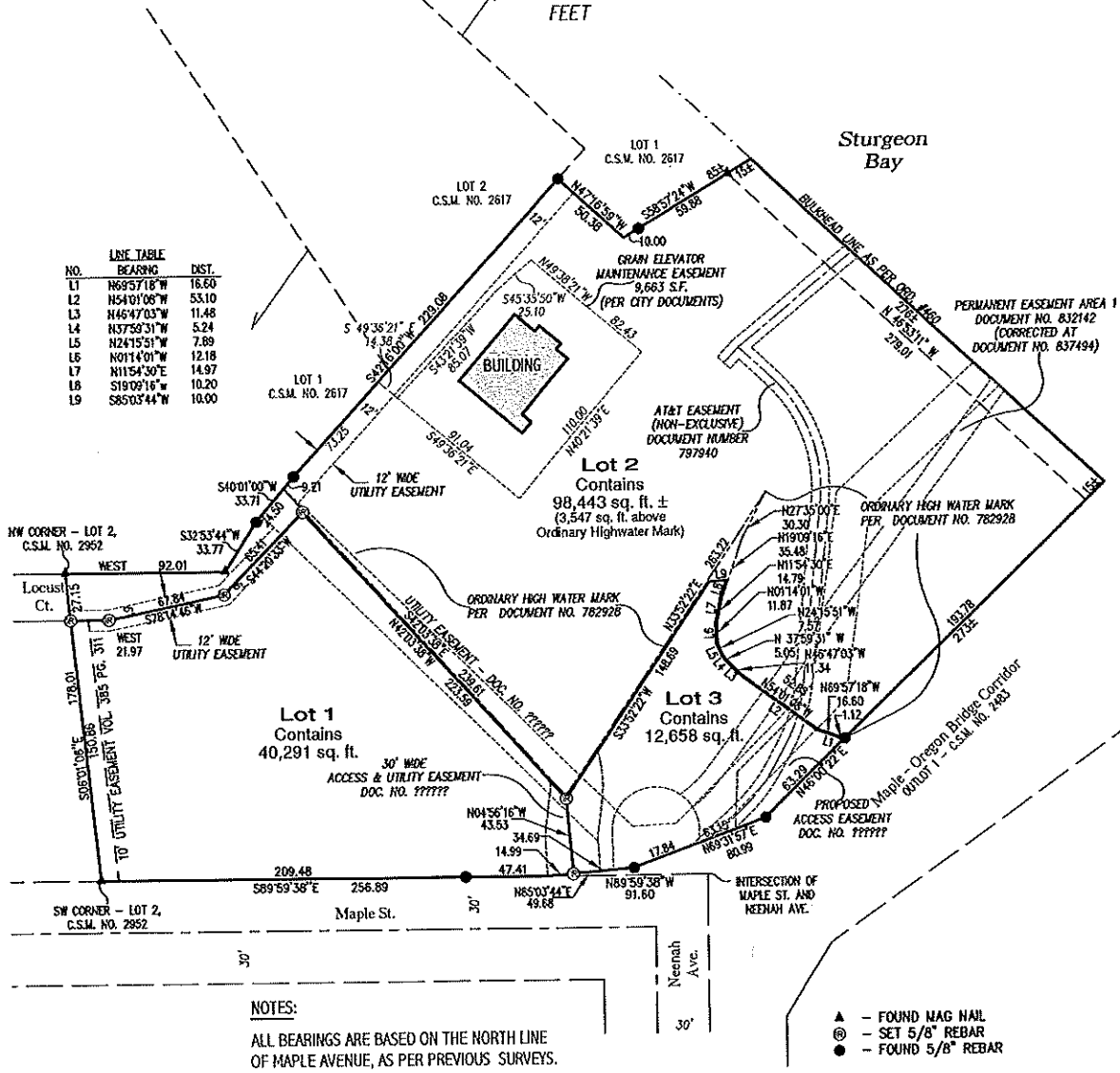
BEING A REVISION OF:
C.S.M. NUMBER 2952, RECORDED AT VOLUME 18, PAGE 57
OF CERTIFIED SURVEY MAPS AS DOCUMENT NO. 788826.

BEING PART OF:
LOT 1, BLOCK 9 OF HARRIS FIRST ADDITION AND ALSO A
PART OF LOTS 1,6 AND 7, BLOCK 8 OF BAYVIEW PLAT AND
ALL OF LOTS 2,3,4 AND 5, BLOCK 8 OF BAYVIEW PLAT AND
ALSO PART OF SUBDIVISION 76

ALL LOCATED IN:
THE NE 1/4 OF SECTION 7,
TOWNSHIP 27 NORTH, RANGE 26 EAST,
CITY OF STURGEON BAY,
DOOR COUNTY,
WISCONSIN.



NORTH
1" = 80'



CERTIFIED SURVEY MAP

BEING A REVISION OF:
C.S.M. NUMBER 2952, RECORDED AT VOLUME 18, PAGE 57
OF CERTIFIED SURVEY MAPS AS DOCUMENT NO. 788826.

BEING PART OF:
LOT 1, BLOCK 9 OF HARRIS FIRST ADDITION AND ALSO A
PART OF LOTS 1,6 AND 7, BLOCK 8 OF BAYVIEW PLAT AND
ALL OF LOTS 2,3,4 AND 5, BLOCK 8 OF BAYVIEW PLAT AND
ALSO PART OF SUBDIVISION 76

ALL LOCATED IN:
THE NE 1/4 OF SECTION 7,
TOWNSHIP 27 NORTH, RANGE 26 EAST,
CITY OF STURGEON BAY,
DOOR COUNTY,
WISCONSIN.

SURVEYOR'S CERTIFICATE:

I, Michael G. McCarty, Registered Land Surveyor for Baudhuin Incorporated, do hereby certify that under the direction of the City of Sturgeon Bay, we have surveyed the following described parcel:

A parcel of land being a revision of C.S.M. Number 2952 recorded at Volume 18, Page 57 of Certified Survey Maps as Document No. 788826, being a part of Lot 1, Block 9 of Harris First Addition and also a part of Lots 1, 6 and 7, Block 8 of Bayview Plat and all of Lots 2, 3, 4 and 5, Block 8 of Bayview Plat and also part of Subdivision 76, all located in the NE 1/4 of Section 7, Township 27 North, Range 26 East, City of Sturgeon Bay, Door County, Wisconsin. More particularly described as follows:

Commencing at the SW corner of Lot 2 of said C.S.M. Number 2952, said corner being on the northerly right of way line of Maple Street and the point of beginning of lands to be described; thence S. 89°59'38" E., 256.89 along said northerly right of way line to the northerly line of the Maple - Oregon Bridge Corridor, said line being the northerly line of Outlot 1 of C.S.M. Number 2483, recorded at Volume 15, Page 13 of Certified Survey Maps as Document Number 725179; thence along said northerly line as follows: N. 85°03'44" E., 49.68 feet; thence N. 69°31'57" E., 80.99 feet; thence N. 46°00'22" E., 258.19 feet to a point on a meander line; thence continue N. 46°00'22" E., 15 feet ± to a Bulkhead Line as per City Ordinance #460; thence leaving said northerly line, Northwesterly, 276 feet ± along said Bulkhead Line to the easterly line of C.S.M. Number 2617, recorded at Volume 15, Page 342 of Certified Survey Maps as Document Number 750029; thence along said easterly line as follows: S. 58°57'24" W., 15 feet ± to a found Mag nail on a meander line, said point being N. 46°53'11" W., 279.01 feet along said meander line from the aforementioned point on said meander line; thence continue S. 58°57'24" W., 69.88 feet; thence N. 47°16'59" W., 50.38 feet; thence S. 42°16'00" W., 229.08 feet; thence S. 40°01'00" W., 33.71 feet; thence S. 32°53'44" W., 33.77 feet to the southeasterly corner of Lot 1 of said C.S.M. Number 2617; thence leaving said easterly line, West, 92.01 feet to the NW corner of Lot 2 of said C.S.M. Number 2952; thence S. 06°01'06" E., 178.01 feet along the westerly line of Lot 2 of said C.S.M. Number 2952 to the point of beginning.

Said parcel contains 151,392 square feet ±, and is subject to and benefited by all easements of record.

Also, I have fully complied with the requirements of chapter 236.34 of the Wisconsin Statutes. I further certify that the attached map is a true representation of said property and correctly shows the exterior boundaries and correct measurements thereof.

Dated: _____

Michael G. McCarty S-2298

CERTIFIED SURVEY MAP

BEING A REVISION OF:
C.S.M. NUMBER 2952, RECORDED AT VOLUME 18, PAGE 57
OF CERTIFIED SURVEY MAPS AS DOCUMENT NO. 788826.

BEING PART OF:
LOT 1, BLOCK 9 OF HARRIS FIRST ADDITION AND ALSO A
PART OF LOTS 1,6 AND 7, BLOCK 8 OF BAYVIEW PLAT AND
ALL OF LOTS 2,3,4 AND 5, BLOCK 8 OF BAYVIEW PLAT AND
ALSO PART OF SUBDIVISION 76

ALL LOCATED IN:
THE NE 1/4 OF SECTION 7,
TOWNSHIP 27 NORTH, RANGE 26 EAST,
CITY OF STURGEON BAY,
DOOR COUNTY,
WISCONSIN.

OWNER'S CERTIFICATE:

As owners, we, City of Sturgeon Bay, do hereby certify that we have caused the land depicted on this certified survey map to be surveyed, mapped and dedicated as represented on this certified survey map.

Dated: _____
David Ward, Mayor

Dated: _____
Stephanie Reinhardt, Clerk

PLANNING COMMISSION CERTIFICATE:

This certified survey map has been submitted and approved in accordance with Chapter 21 of the Sturgeon Bay Municipal Code.

Dated: _____
Martin Olejniczak
Community Development Director

VP

EXECUTIVE SUMMARY

Title: Turnaround Easement - Ackerman Street

Background: The City received a petition to vacate an unimproved street right-of-way known as Ackerman Street. The subject right-of-way is a 60-foot wide unimproved street that extends easterly from Cove Road, near the southerly end of Cove Road. At its August 3rd meeting the Council introduced a resolution to vacate the street subject to retaining an easement for a vehicle turnaround and then referred the resolution to the Plan Commission for its recommendation. The Plan Commission recommends adopting the resolution to vacate the right-of-way and also recommends the vehicular turnaround easement be created prior to recording the resolution.

The Vehicular Turnaround Access Easement was drafted by the City Attorney and the Exhibit showing the affected area was created by the Engineering Dept. The easement provides enough space for vehicles to pull into the existing gravel driveway within Ackerman Street in order to back out in the other direction. There also is space to improve the access area into a formal turnaround if desired in the future. The easement does not interfere with the ability of the adjoining owner (Jeanquart) to construct a new home on the abutting property.

Under the state law for discontinuing (vacating) streets, a public hearing must be held not less than 40 days after introducing the resolution. Therefore, the Council is unable to act upon the street vacation resolution until its September 21st meeting. But, because the turnaround easement needs to be in effect prior to the street vacation, the Council may act upon the easement at this meeting. If, after the public hearing, the Council elects not to approve the street vacation resolution, the turnaround easement is essentially moot because the street right-of-way remains in place.

Recommended Action: Approve the Vehicle Turnaround Access Easement.

Prepared by:  9-2-21
Martin Olejniczak
Community Development Director
Date

Reviewed by:  9-2-21
Chad Shefchik
City Engineer
Date

Reviewed by:  9/2/21
Josh Van Lieshout
City Administrator
Date

ACCESS EASEMENT

Document Number

Recording Area

Name and Return Address

Attorney James M. Kalny
Davis & Kuelthau, s.c.
2800 E Enterprise Ave
Appleton, WI 54913

281-34-65001101; 281-62-48000115;
024360000

Parcel Identification Number (PIN)

VEHICLE TURNAROUND ACCESS EASEMENT

This VEHICLE TURNAROUND ACCESS EASEMENT (the "Easement") is created this 7th day of September 2021, by the City of Sturgeon Bay Common Council.

WHEREAS, The City of Sturgeon Bay (the "City") is the owner of certain right of way known as Ackerman Street that is specifically depicted and described on the attached Site Sketch marked Exhibit 1; and

WHEREAS, pursuant to § 66.1003 (4) of the Wisconsin Statutes the City has found it in the public interest to discontinue Ackerman Street subject to the reservation of a vehicular turnaround access easement (Easement);

WHEREAS, the property to be encumbered by and subject to the Easement is described in the attached Exhibit 2; and

WHEREAS, upon the discontinuance of Ackerman Street the abutting property owners will each own the property that was Ackerman Street to the centerline.

WHEREAS, by this document the City creates the Easement that is intended to survive the discontinuance of Ackerman Street ;

NOW THEREFORE, the City hereby declares and reserves a perpetual non-exclusive easement in, over, on, under, and/or across the Easement under the terms and for the purposes described herein.

1. Vehicle Turnaround Access Easement.

- a. Grant of Access Easement. The City, hereby reserves, conveys and creates a permanent non-exclusive easement over, across and through that portion of the Ackerman Street right of way described as the Easement, for the limited purpose of facilitating and allowing vehicles travelling on Cove Road to turnaround and otherwise maneuver to allow for convenient ingress and egress to and from the Easement area.
- b. Improvement of Easement. The City reserves the right to improve and maintain the easement to adequately serve the intent of the Easement as determined at the discretion of the City provided that such improvement and maintenance shall not unreasonably interfere with the use and enjoyment of the owners of the underlying fee title to the property encumbered by the easement taking into consideration the intended use and purpose of the Easement.

2. Duration. Except as expressly provided herein, the Easement and rights herein granted shall be of perpetual duration.

3. General Provisions.

- a. Effective Date. This Document shall be effective upon the date it is filed with the Door County Register of Deeds.
- b. Non-Use. Non-use or limited use of the easement rights granted in this Easement shall not prevent the benefiting party from later use of the easement rights to the fullest extent authorized herein.
- c. Governing Law. This easement is made expressly subject to each and every, all and singular, law, regulation, ordinance and statute of municipal, or other governmental authority, if any, applicable to, and enforceable against, the Property. This easement will be governed by and construed and enforced in accordance with the laws of the State of Wisconsin without regard to principles of conflicts of law.

[Signature pages to follow]

[Signature page to Access Easement]

IN WITNESS WHEREOF, this Vehicular Turnaround Access Easement is executed as of the day and year first above written.

**CITY OF STURGEON BAY COMMON
COUNCIL**

WHEREFORE, the parties have hereunto set their hands as of the date first written above.

City of Sturgeon Bay, Wisconsin

By: _____
David J. Ward, Mayor

Attest: _____
Stephanie L. Reinhardt, City Clerk

STATE OF WISCONSIN)
)ss.
DOOR COUNTY)

Personally appeared before me this ____ day of _____, 2021, the above-named David J. Ward and Stephanie L. Reinhardt, the Mayor and City Clerk, respectively, of the City of Sturgeon Bay, Wisconsin, to me known to be the persons who executed the foregoing agreement on behalf of the City and by its authority.

Name: _____
Notary Public, State of Wisconsin
My Commission expires: _____

This instrument was drafted by:



Attorney James M. Kalny
318 S. Washington Street
Green Bay, WI 54115
920-431-2223 (ph.)

Site Sketch

LOCATED IN:

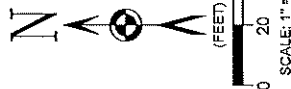
THE PLAT OF EMMA MORCK'S ADDITION TO STURGEON BAY
IN THE FRACTIONAL NE 1/4 OF THE SE 1/4, SECTION 16,
T. 27 N., R. 26 E., CITY OF STURGEON BAY,
DOOR COUNTY, WISCONSIN

PREPARED FOR:
COLLIN & KRISTEN JEANQUART
1647 COVE ROAD
STURGEON BAY, WI 54235

CURRENT OWNER:
CITY OF STURGEON BAY
421 MICHIGAN STREET
STURGEON BAY, WI 54235

PREPARED BY:

BRIAN FRISQUE SURVEYS INC.
BRIAN D. FRISQUE
PROFESSIONAL LAND SURVEYOR
3121 MATHIEY ROAD
STURGEON BAY, WI 54235
(920) 743-7183



LEGEND

- ⊙ = U.S. PUBLIC LAND SURVEY CORNER
(EXISTING DOOR COUNTY
ALUMINUM MONUMENT)
- = EXISTING 1" IRON PIPE
(UNLESS NOTED)
- ◆ = EXISTING METAL FENCE POST

SURVEYOR'S NOTE:

BEARINGS BASED ON THE NORTH LINE OF THE
PLAT OF EMMA MORCK'S ADDITION TO
STURGEON BAY RECORDED AS DOCUMENT NO.
208773. (BEARING ASSUMED AS EAST)

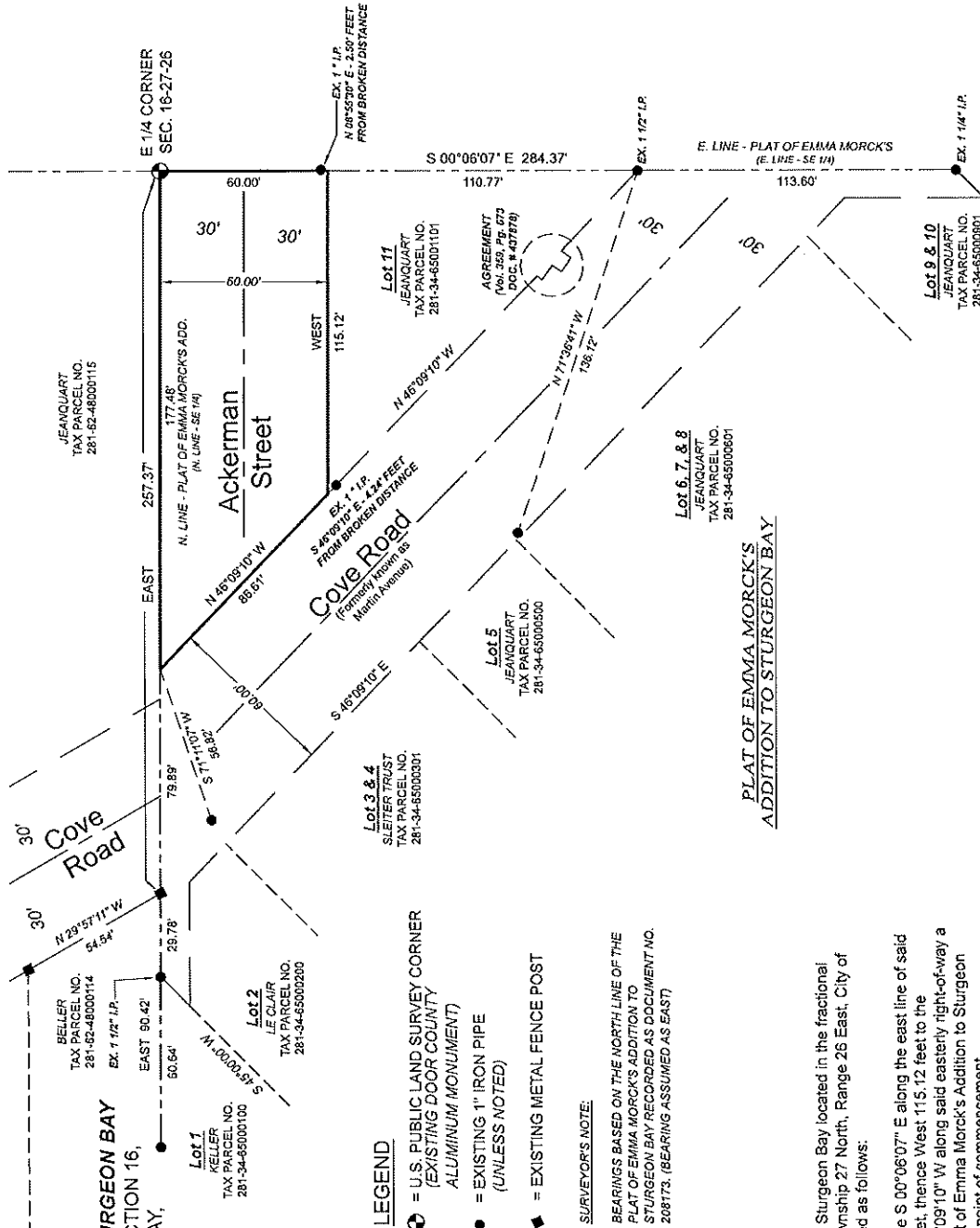
DESCRIPTION:

Ackerman Street as depicted on the Plat of Emma Morck's Addition to Sturgeon Bay located in the fractional Northeast one-quarter of the Southeast one-quarter of Section 16, Township 27 North, Range 26 East, City of Sturgeon Bay, Door County, Wisconsin and more particularly described as follows:

Commencing at the East one-quarter corner of said Section 16, thence S 00°06'07" E along the east line of said Plat of Emma Morck's Addition to Sturgeon Bay a distance of 60.00 feet, thence West 115.12 feet to the intersection with the easterly right-of-way of Cove Road, thence N 46°09'10" W along said easterly right-of-way a distance of 86.61 feet to the intersection with the north line of said Plat of Emma Morck's Addition to Sturgeon Bay, thence East along said north line a distance of 177.48 feet to the point of commencement.

Said street right-of-way contains 0.202 acres of land.

EXHIBIT 1

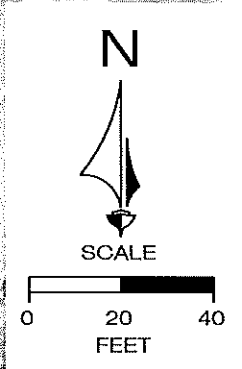


07-09-21
D-051721L2-SS.dwg
Drawn By: C.E.C
JOB#: D-051721L2

EXHIBIT 2

SITE PLAN

PROPOSED PUBLIC TURN AROUND EASEMENT



 PROPOSED RIGHT-OF-WAY VACATION

Description: Proposed Public Turn Around Easement

A tract of land located in the Plat of Emma Morck's Addition to Sturgeon Bay, in the fractional Northeast one-quarter of the Southeast one-quarter of Section 16, Township 27 North, Range 26 East, City of Sturgeon Bay, Door County, Wisconsin and described as follows.

Commencing at the East ¼ Corner of said Section 16, thence West along the northerly line of said Emma Morck's Addition 85.00 feet to the point of beginning, thence South 60.00 feet to the intersection with the northerly line of Lot 11 of Emma Morck's Addition, also being the southerly right-of-way line of Ackerman Street as platted in Emma Morck's Addition, thence West along said northerly line of Lot 11 30.01 feet to the intersection with the northeasterly right-of-way line of Cove Road, platted as Martin Avenue in Emma Morck's Addition, being the northwest corner of said Lot 11, thence N 46°09'10" W along the northeasterly right-of-way line of Cove Road 86.61 feet to the intersection with the northerly line of Emma Morck's Addition, thence East along said northerly line 92.48 feet to the point of beginning. Containing 3,674 square feet (0.08 acres) of land.

AUG, 2021

EXECUTIVE SUMMARY

Title: Tax Increment District #5

Background: The City and School District have been working jointly on the redevelopment of the Sunset School property. A request for proposal was issued and the School District, Council, and Plan Commission reviewed the submittals. The redevelopment that was ultimately approved included an additional 10 units of multiple-family residential for Maritime Heights on the school parking lot parcel and 26 units of multiple-family residential for S.C. Swiderski on the school building parcel.

In order to obtain the desired development, the City is providing financial incentives such as paying for the demolition of the building. In addition, there are certain public improvements within the neighborhood that would be beneficial for both the new development and the overall region. Tax Increment Financing is the preferred method of covering the public costs and has been used for other development projects in the City. Therefore, a new tax increment district (TID) is proposed for the two school parcels.

R.W. Baird, the City's financial consultant prepared the project plan for the proposed TID with the assistance of City staff. They also prepared the financial projections that compare the costs to the expected property tax revenue (increment). The future property taxes from new development in the TID will be used to pay back the public expenditures related to the new development. The proposed expenditures are listed in the project plan for TID #5. Some of the costs are for public related improvements, such as streets and sidewalks and other costs related to the new private development. In addition, the project plan expenditures include \$150,000 intended to be set aside to assist property owners in the neighborhood with exterior improvements to their homes and properties.

TID #5 is being established as a mixed-use TID, which provides a 20-year timeframe to conduct the projects and recover the expenditures. According to the analysis and based on conservative assumptions, the proposed TID #5 will recover its expenditures by 2034, well within the 20-year life of the TID. The financial analysis does not guarantee that the redevelopment project will be successful. To help limit the uncertainty, it is anticipated that many of the planned expenditures will not commence until the construction of the housing projects are underway. It is also noted that the listed expenditures are not required to occur. Other sources of funds such as grants can potentially offset some of the costs and projects can be scaled back if necessary.

The procedure for creation of Tax Increment District #5 is a public hearing before the Plan Commission followed by the Plan Commission adopting a resolution. That occurred on August 21st. There was no testimony at the hearing and the Plan Commission unanimously passed its resolution to implement the TID.

The current step of the process is for the Common Council to approve its own resolution. The resolution and the project plan for TID #5 are included in the agenda packet. The resolution establishes the boundaries of the TID and the project plan describing the expenditures and

financing. If the Council approves its resolution, the final step is approval of a resolution by the Joint Review Board, which is comprised of representatives from the taxing jurisdictions. If the JRB approves its resolution, the TID comes into effect.

Recommendation: Approval of the resolution regarding the boundaries and project plan for TID #5.

Prepared by: Martin Olej 9-2-21
Martin Olejniczak Date
Community Development Director

Reviewed by: Valerie Clarizio 9/2/21
Valerie Clarizio Date
Finance Director

Reviewed by: Josh Van Lieshout 9/2/21
Josh Van Lieshout Date
City Administrator

RESOLUTION # _____

Resolution Formally Establishing the Boundaries of and Approving the Project Plan for Tax Incremental District No. 5

ESTABLISHING THE BOUNDARIES OF AND APPROVING THE PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NO. 5, CITY OF STURGEON BAY, DOOR COUNTY, WISCONSIN

WHEREAS, pursuant to Wisconsin Statutes §66.1105 the City of Sturgeon Bay has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 5 (“the District”) is proposed to be created as a “mixed-use district” where not less than fifty percent (50%) by area, of the real property within the District is suitable for industrial, commercial, and residential development; and

WHEREAS, a Project Plan for Tax Incremental District No. 5 has been prepared that includes the following:

1. A statement listing the kind, number, and location of proposed public works or improvements within the District;
2. An economic feasibility study;
3. A detailed list of estimated project costs;
4. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred;
5. A map showing existing uses and conditions of real property in the District;
6. A map showing proposed improvements and uses in the District;
7. Proposed changes of zoning ordinance, master plan, map, building codes, and City Ordinances;
8. A statement of the proposed method for relocation of any person to be displaced;
9. A statement indicating how creation of the District promotes the orderly development of the City;
10. An Opinion of the City Attorney advising that the plan is complete and complies with Wis. Statute §66.1105(4)(f); and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on August 18, 2021, held a public hearing concerning the project plan and boundaries and proposed creation of the District providing interested parties a reasonable opportunity to express their views on the proposed creation of a tax incremental district and the proposed boundaries of the District; and

WHEREAS, after said public hearing, the Plan Commission adopted a resolution, and recommended to the Common Council that it create the District.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Sturgeon Bay that:

RESOLUTION # _____

Resolution Formally Establishing the Boundaries of and Approving the Project Plan for Tax Incremental District No. 5

1. The Recitals set forth above are incorporated herein and are made an enforceable part of this resolution.
2. The boundaries of the District are hereby approved and established as legally described in Exhibit A attached and incorporated herein by reference.
3. The District is created effective as of January 1, 2021.
4. The City Council finds and declares that:
 - a. Not less than fifty percent (50%), by area, of the real property within the District is suitable for industrial, commercial, residential development within the meaning of Section §66.1105(2) (cm) of the Wisconsin Statutes. Less than 35 percent (35%) of the District land is proposed for newly platted residential development and the residential housing density is at least three units per acre.
 - b. Based upon the findings, as stated in (a) above, the District is declared to be a mixed-use development district based on the identification and classification of the property included within the District.
 - c. The improvement of the area is likely to significantly enhance all the other real property's value in the District.
 - d. The private development activities projected in the Project Plan would not occur without tax incremental financing.
 - e. The equalized value of the taxable property in the District plus the value increment of all other existing tax incremental districts within the City does not exceed 12% of the total equalized value of taxable property within the City.
 - f. The City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Section §66.1105 (5)(b) of the Wisconsin Statutes.
 - g. The project costs relate directly to promoting mixed-use development in the District consistent with the purpose for which the District is created.
 - h. Confirms that the boundaries of the District do not include any annexed territory that was not within the boundaries of the City on January 1, 2004.
5. The Project Plan, prepared by Robert W. Baird & Co. dated August 2, 2021 which is incorporated herein in its entirety by reference, is approved and the City further finds that plan is feasible and in conformity with the master plan of the City.

BE IT FURTHER RESOLVED THAT the City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue, in such form as may be prescribed, for a "Determination of Tax Incremental Base", as of January 1, 2021, pursuant to the provisions of Section §66.1105 (5) (b) of the Wisconsin Statutes.

BE IT FURTHER RESOLVED THAT the City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under section §70.45 of the Wisconsin Statutes, those parcels of property which are within the District, specifying thereon the name of the District, and the City Clerk is hereby authorized and

RESOLUTION #_____

Resolution Formally Establishing the Boundaries of and Approving the Project Plan for
Tax Incremental District No. 5

directed to make similar notations on the tax roll made under Section §70.65 of the
Wisconsin Statutes, pursuant to Section §66.1105(5)(f) of the Wisconsin Statutes.

Adopted this 7th day of September, 2021

City of Sturgeon Bay

By _____
David J. Ward, Ph.D., Mayor

CERTIFICATION

I hereby certify that the foregoing Resolution was duly adopted by the Common Council
of the City of Sturgeon Bay on the 7th day of September, 2021.

Stephanie L. Reinhardt,
City of Sturgeon Bay
City Clerk

PLANNING COMMISSION RESOLUTION #01-2021

Resolution Formally Adopting Proposed Project Plan and Boundaries for Tax Incremental District No. 5

RECOMMENDED ADOPTION OF THE PROJECT PLAN AND BOUNDARIES FOR TAX INCREMENTAL DISTRICT NO. 5 CITY OF STURGEON BAY, WISCONSIN

WHEREAS, pursuant to Wisconsin Statutes §66.1105 the City of Sturgeon Bay has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 5 (“the District”) is proposed to be created as a “mixed-use district” where not less than fifty percent (50%) by area, of the real property within the District is suitable for industrial, commercial, and residential development, and

WHEREAS, a Project Plan for Tax Incremental District No. 5 has been prepared that includes the following:

1. A statement listing the kind, number, and location of proposed public works or improvements within the District;
2. An economic feasibility study;
3. A detailed list of estimated project costs;
4. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred;
5. A map showing existing uses and conditions of real property in the District;
6. A map showing proposed improvements and uses in the District;
7. Proposed changes of zoning ordinance, master plan, map, building codes, and City ordinances;
8. A statement of the proposed method for relocation of any person to be displaced;
9. A statement indicating how creation of the District promotes the orderly development of the City;
10. An opinion of the City Attorney advising that the plan is complete and complies with Wis. Statute §66.1105(4)(f); and

WHEREAS, prior to its publication, a copy of the notice of the public hearing by the Plan Commission was sent to the City of Sturgeon Bay, Door County, the Sturgeon Bay School District, and Northeast Wisconsin Area Technical College which constitutes all of the local governmental entities having the power to levy taxes on property located within the proposed District; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on August 18, 2021, held a public hearing concerning the project plan and boundaries and proposed creation of the District providing interested parties a reasonable opportunity to express their views on the proposed creation of a tax incremental district and the proposed boundaries of the District.

PLANNING COMMISSION RESOLUTION #01-2021

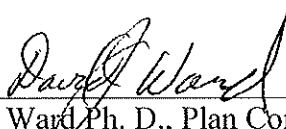
Resolution Formally Adopting Proposed Project Plan and Boundaries for Tax
Incremental District No. 5

NOW THEREFORE, BE IT RESOLVED by the Plan Commission of the City
of Sturgeon Bay that:

1. It recommends to the Common Council that Tax Incremental District No. 5, City of Sturgeon Bay, be created with boundaries as designated by Exhibit A, which is attached and incorporated herein by reference;
2. It approves the Project Plan as prepared by Robert W. Baird & Co, dated August 2, 2021, which is incorporated herein in its entirety by reference, and recommends its approval to the Common council;
3. Creation of the District promotes orderly development in the City; and
4. That the City Clerk is hereby directed to provide the Common Council with a certified copy of this Resolution upon its adoption by the Plan Commission.

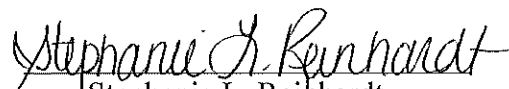
Adopted this 18th day of August, 2021

City of Sturgeon Bay

By 
David J. Ward Ph. D., Plan Commission Chairman

CERTIFICATION

I hereby certify that the foregoing Resolution was duly adopted by the Planning
Commission of the City of Sturgeon Bay on the 18th day of August, 2021.


Stephanie L. Reinhardt,
City of Sturgeon Bay
City Clerk

Project Plan & District Boundary
Tax Incremental District No. 5
in the
CITY OF STURGEON BAY, WISCONSIN



August 2, 2021

(Approved Actions)

Organizational Joint Review Board Meeting Held.....August 17, 2021
Public Hearing Held.....August 18, 2021
Adopted by Planning Commission.....August 18, 2021
Adopted by City Council.....September 07, 2021
Approved by Joint Review Board.....September 14, 2021

Prepared in part by:



Robert W. Baird & Co.
Public Finance
777 E. Wisconsin Ave.
Milwaukee, WI 53202
800.792.2473

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City of Sturgeon Bay Officials

City Council

David J. Ward Ph.D	Mayor
Helen L. Bacon	Aldersperson District 1
Dennis Statz	Aldersperson District 2
Dan Williams	Aldersperson District 3
J. Spencer Gustafson	Aldersperson District 4
Gary Nault	Aldersperson District 5
Seth Wiederanders	Aldersperson District 6
Kirsten Reeths	Aldersperson District 7

City Staff

Josh Van Lieshout	City Administrator
Stephanie L. Reinhardt	City Clerk
Valerie J. Clarizio	Finance Director/City Treasurer
Martin J. Olejniczak	Community Development Director

Planning Commission

David J. Ward Ph.D, Chairperson	Jeff Norland
Helen L. Bacon	Kirsten Reeths
Mark Holey	Dennis Statz
Debbie Kiedrowski	

Joint Review Board

David J. Ward Ph.D, Mayor	City Representative
	Door County
	Northeast Wisconsin Area Technical College
	Sturgeon Bay School District
	Public Member

Introduction and Description of District

The City plans to use Tax Incremental Financing ("TIF") as a successful economic development programming tool by providing public improvements and development incentives to encourage and promote residential development. The goal is to increase the tax base, to create and enhance economic opportunities, and to increase housing options within the City. The City works with developers and property owners to provide infrastructure improvements and incentives for development. Public infrastructure and property improvements will be financed by a combination of TIF increments and debt financing.

The Tax Increment District ("TID") is being created as a "Mixed-Use District" based on the identification and classification of the property proposed to be included in the TID. The maximum life (absent extension) of the TID is 20 years from the date of adoption.

The City and School District have been working with Developers to redevelop the Sunset School property and school parking lot into housing. The school property is a 2.76-acre parcel abutting Delaware Street, N. 8th Avenue, and Erie Street. The Developer has proposed to construct approximately 26 apartment housing units on this property with assistance from the School District for land acquisition costs and assistance from the City for costs related to the demolition of the Sunset School building and approximately \$200,200 for housing construction costs. The City plans to recover those developer assisted costs through the creation of the TID. The 26 housing units are expected to be completed by the end of 2023 and add approximately \$3,000,000 of property value.

The school parking lot is a 0.81-acre parcel abutting Erie Street and Florida Street. The Developer for this parcel has proposed to construct 10 townhouse units with assistance from the School District for land acquisition costs. In addition, approximately \$15,000 may be needed for housing construction costs if the units require a sprinkling system for fire protection. The 10 housing units are expected to be completed by the end of 2022 and add approximately \$900,000 of property value.

The City anticipates various public improvement project cost expenditures of approximately \$975,316 during the TID's 15-year expenditure period. Proposed public project improvements may include, but not limited to infrastructure, professional and organizational services, administrative costs, and finance costs. As part of the project plan, Developer incentives may be provided by the City to developers of property within the TID in the form of cash grants.

City of Sturgeon Bay
TID #5 Project Plan & District Boundary

As a result of the creation of this TID, the City projects a preliminary and conservative cash flow analysis indicating \$1,940,566 in increments. The TID increment will primarily be used to pay the debt service costs of the TID, and project development incentives. The City projects land and improvement values (incremental value) of approximately \$3,900,000 will be created in the TID by the end of 2023. This additional value will be a result of the improvements made and projects undertaken with the TID.

Maps depicting the boundaries and existing uses and conditions of the TID are found in the respective mapping sections of this project plan.

Summary of Findings

As required by s.66.1105 Wis. Stats., and as documented in this Project Plan and the exhibits contained and referenced herein, the following findings are made:

1. That “but for” the creation of this TID, the development projected as detailed in this Project Plan: 1) would not occur; or 2) would not occur in the manner, at the values, or within the timeframe desired by the City. In making this determination, the City has considered the following information:
 - Development within the TID has not occurred at the pace anticipated by the City. Infrastructure and other development related expenses are not likely to be borne exclusively by private developers; therefore, the City has concluded that public investment will be required to fully achieve the City’s objectives for this area.
 - To achieve its objectives, the City has determined that it must take an active role in encouraging development by making appropriate public expenditures in the area. Without the availability of tax increment financing, these expenditures are unlikely to be made. Enhancement of this area will complement existing venues in the City, and benefit, not only the City, but all overlapping taxing jurisdictions. Accordingly, the costs to implement the needed projects and programs are appropriately funded through tax increment financing.
 - In order to make the area included within the TID suitable for development, the City will need to make a substantial investment to pay costs of some or all of the projects listed in the project plan and to maintain a rent structure that does not exceed the upper end of market levels. Due to the public investment that is required, the City has determined that development of the area will not occur at the

pace or levels desired solely as a result of private investment.

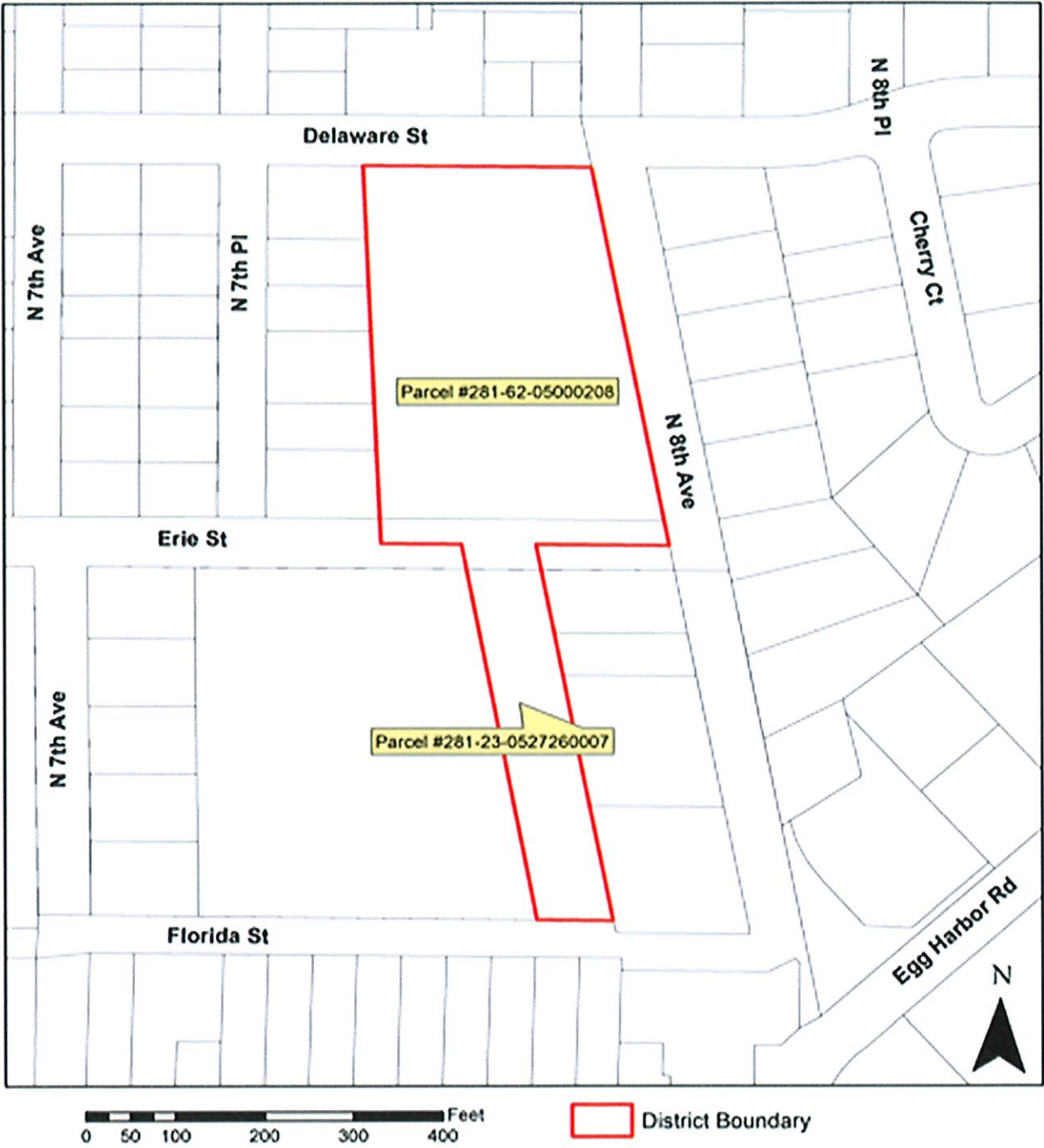
2. The economic benefits of the Tax Incremental District, as measured by increased property values, are sufficient to compensate for the cost of the improvements. In making this determination, the City has considered the following information:
 - As demonstrated in the Economic Feasibility Section of this Project Plan, the tax increments projected to be collected and the debt issuance will be more than sufficient to pay for the proposed project costs. On this basis alone, the finding is supported.
3. The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions.
 - Since the development expected to occur is unlikely to take place without the use of Tax Incremental Financing (see Finding #1) and since the TID will generate economic benefits that are more than sufficient to compensate for the cost of the improvements (see Finding #2), the City reasonably concludes that the overall benefits of the TID outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions. It is further concluded that since the "but for" test is satisfied, there would, in fact, be no foregone tax increments to be paid in the event the TID is not created.
4. The improvements to be made within the TID are likely to significantly enhance the value of substantially all other real property in the City surrounding the TID.
5. The equalized value of taxable property of the TID does not exceed 12% of the total equalized value of taxable property within the City.
6. The Project Plan for the TID is feasible and is in conformity with the master plan of the City.
7. The City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wisconsin Statutes Sections 66.1105(5)(b).

City of Sturgeon Bay
TID #5 Project Plan & District Boundary

8. The TID is being created as a Mixed-Use District. This project plan has met the definition and requirements for a Mixed-Use District. Not less than 50% of the proposed district's area land is suitable for industrial, commercial, and residential use.

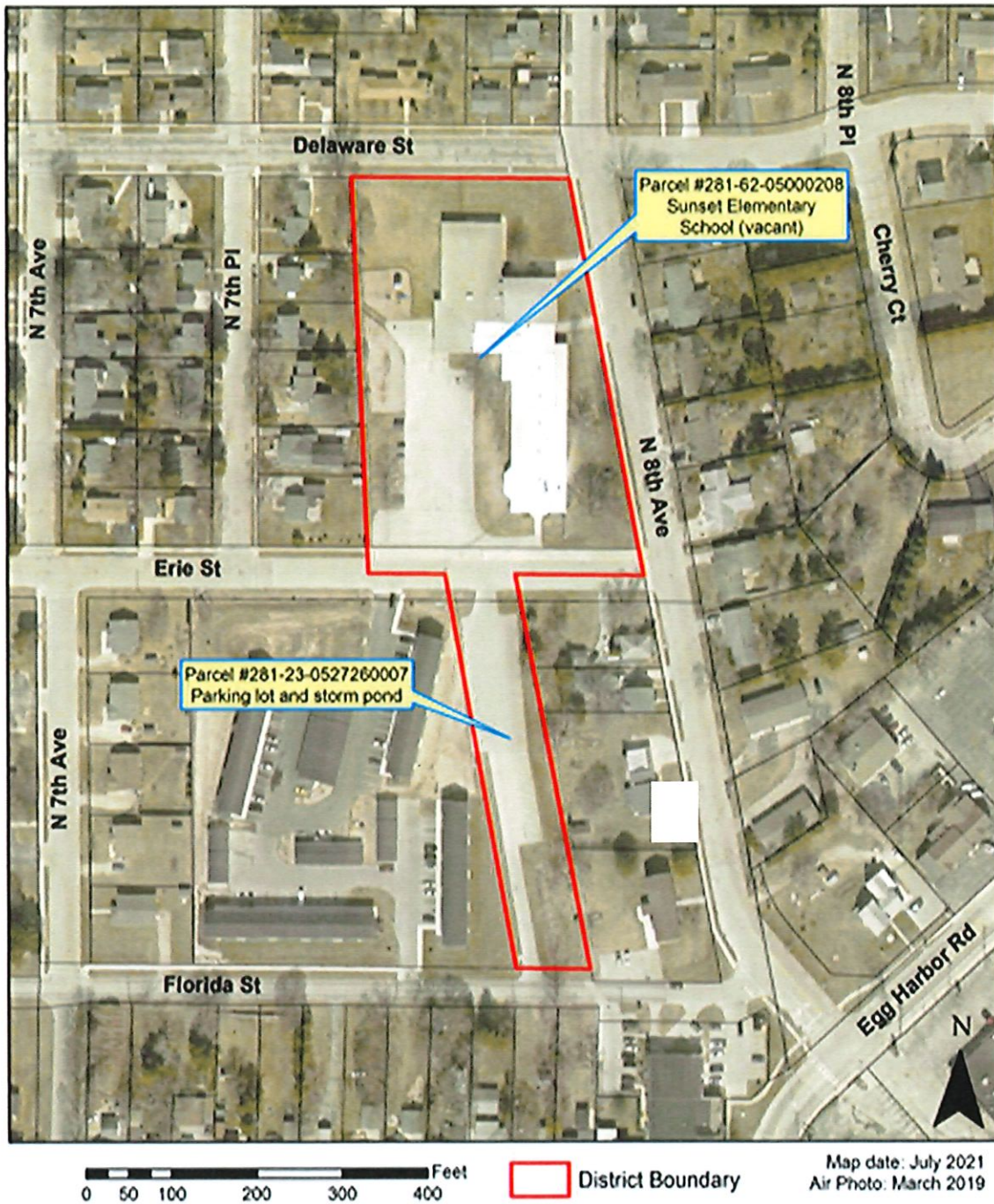
Maps of Proposed District Boundary
Current Map is reflective of the 01/01/2021 parcel list.

Tax Increment District #5



Map Showing Existing Uses and Conditions

Tax Increment District #5
Existing Uses and Conditions



**City of Sturgeon Bay
TID #5 Project Plan & District Boundary**

Preliminary Parcel List and Analysis

As of the 01/01/2021 parcel list.

ID	Address	Parcel #	Valuation
1	827 N. 8 th Ave	2816205000208	\$0
2	N/A	281230527260007	\$0
Total Valuation			<u>\$0</u>

Equalized Valuation Test

The following calculations demonstrate that the City is in compliance with s.66.1105(4)(gm)4.c. Wis. Stats., which requires that the equalized value of the taxable property in the proposed TID, plus the value increment of any existing Tax Incremental Districts, does not exceed 12% of the total equalized value of taxable property within the City. With TID #5, the value increment of all existing Tax Increment Districts will be approximately 8.40%.

Valuation Test Compliance Calculation

2021 Equalized Valuation (TID IN)	\$ 1,029,653,800
Limit for 12% Test	\$ 123,558,456
Increment Value of Existing TIDs	\$ 86,464,200
Projected Base Value of New TID	\$ <u>0</u>
Total Value Subject to Test	\$ 86,464,200
Compliance (\$86,464,200 < \$123,558,456)	Meets Requirement

Statement of Kind, Number and Location of Proposed Projects

The City expects to implement the following public project improvements. Any costs including eligible administrative costs necessary or convenient to the creation of the district or directly or indirectly related to the public works and other projects are considered "project costs" and eligible to be paid with tax increment revenues of the TID.

1. SUNSET SCHOOL PROPERTY SITE CLEARANCE

LOCATION: 2.76-acre parcel abutting Delaware Street, N. 8th Avenue, and Erie Street

TOTAL: \$250,000

DESCRIPTION: Demolition of existing school building, including the abatement of hazardous materials, and the removal of the driveway, parking areas, and other paved areas of the property.

2. DEVELOPER CONSTRUCTION INCENTIVE

LOCATION: 2.76-acre parcel abutting Delaware Street, N. 8th Avenue, and Erie Street

TOTAL: \$200,200

DESCRIPTION: Payment to Developer upon an occupancy permit obtained for the 26 housing units. The amount of such payment shall be \$7,700 per unit.

3. NEW SIDEWALKS

LOCATION: Erie Street and Florida Street

TOTAL: \$26,300

DESCRIPTION: Installation of new sidewalks along portions of Erie Street and Florida Street.

4. STREET IMPROVEMENTS

LOCATION: Delaware Street and Erie Street

TOTAL: \$84,500

DESCRIPTION: Repair/replace portions of the pavement of Delaware Street and Erie Street abutting or adjacent to the TID. Remove concrete and restore terrace lawn along north side of Erie Street.

5. NEIGHBORHOOD PROPERTY IMPROVEMENTS

LOCATION: Approximately one-block radius surrounding the TID

TOTAL: \$150,000

DESCRIPTION: Low/No interest loans or grants for minor repairs and upgrades to properties surrounding the tax increment district. This could finance items such as roof repairs, residing/painting, window replacement and similar improvements. The exact boundaries of the area subject to this expenditure may be adjusted subject to demand compared with available funds.

6. RECREATIONAL FACILITIES

LOCATION: On public property or public easement within ¼ mile of TID

TOTAL: \$100,000

DESCRIPTION: Replacement of Sunset School playground equipment with new equipment serving the future residents of the TID and surrounding area. The location of the playground equipment is to be determined.

7. FINANCING & INTEREST, CAPITALIZED INTEREST, COST OF ISSUANCE

LOCATION: ENTIRE TID

TOTAL: \$134,316

DESCRIPTION: Debt financing and interest, capitalized interest, and cost of issuance fees.

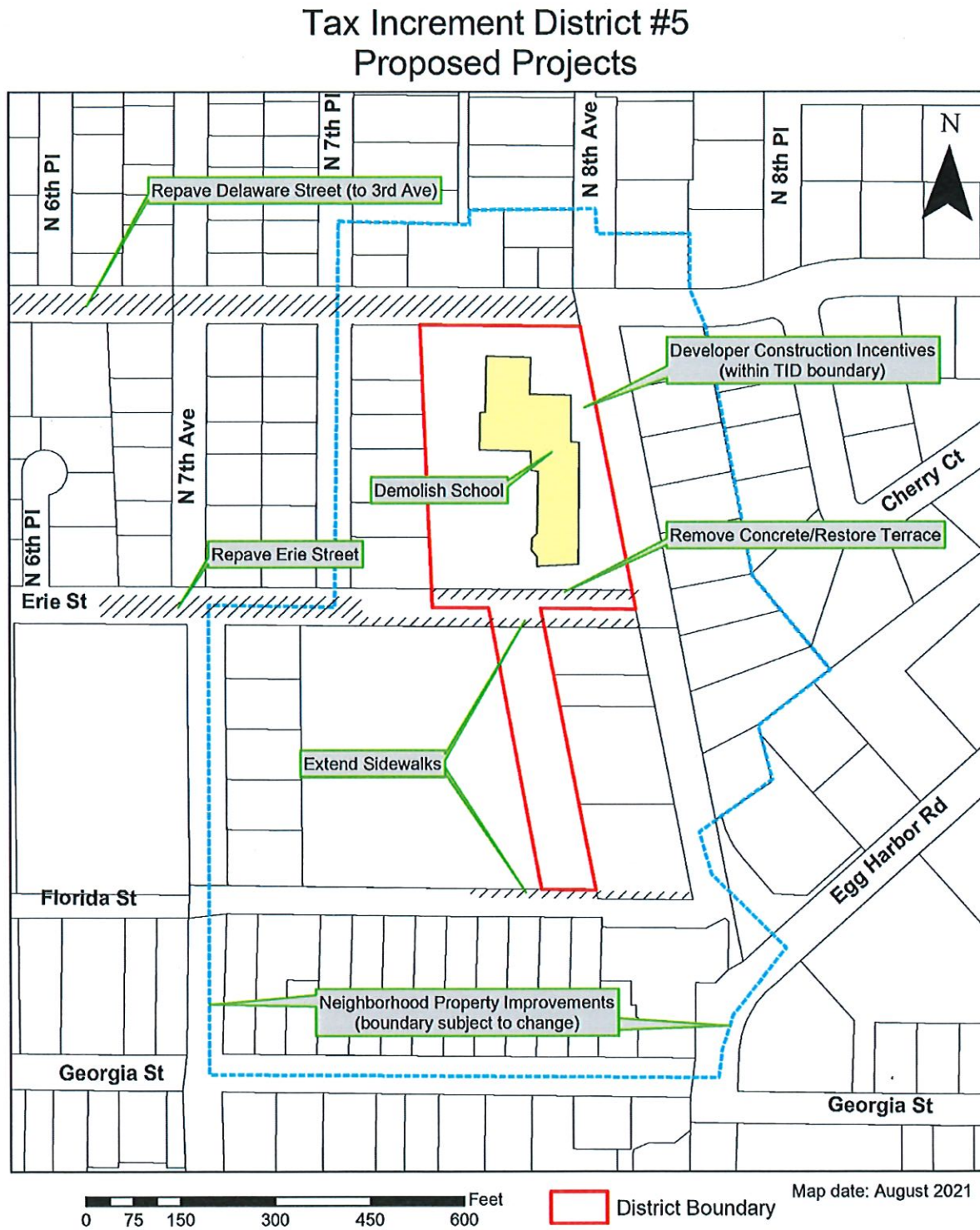
8. ADMINISTRATIVE / ORGANIZATIONAL FEES

LOCATION: ENTIRE TID

TOTAL: 30,000

DESCRIPTION: Annual TID and City staff administration fees and professional fees for creation and organization, including legal fees.

Maps Showing Proposed Improvements and Uses



Detailed List of Project Costs

1. SUNSET SCHOOL PROPERTY SITE CLEARANCE	\$250,000
2. DEVELOPER CONSTRUCTION INCENTIVE	\$200,200
3. NEW SIDEWALKS	\$26,300
4. STREET IMPROVEMENTS	\$84,500
5. NEIGHBORHOOD PROPERTY IMPROVEMENTS	\$150,000
6. RECREATIONAL FACILITIES	\$100,000
7. FINANCING & INTEREST, CAPITALIZED INTEREST, COST OF ISSUANCE	\$134,316
8. ADMINISTRATIVE/ORGANIZATIONAL FEES	\$30,000
Total	\$975,316

The project cost is based on current prices and preliminary estimates. The City reserves the right to increase this cost to reflect inflationary increases and other uncontrollable circumstances between the creation of the TID and the time of construction. The tax increment allocation is preliminary and is subject to adjustment based upon the implementation of the Plan.

This Plan is not meant to be a budget nor an appropriation of funds for specific projects, but a framework within which to manage projects. All costs included in the Plan are estimates based on the best information available. The City retains the right to delete or pursue future projects listed in the prior paragraph, and shown on the map, or change the scope and/or timing of projects implemented as they are individually authorized by the Common Council, without amending the Plan.

The Plan authorizes the expenditure of funds for project costs within a 1/2-mile radius of the TID boundary.

Economic Feasibility

The information and exhibits contained within this project plan demonstrate that the proposed TID is economically feasible insofar as:

City of Sturgeon Bay
TID #5 Project Plan & District Boundary

- The City has available to it the means to secure the necessary financing required to accomplish the projects contained within this Plan. A listing of "Method of Financing and Timing of When Costs are to be Incurred" follows.
- The development anticipated to occur as a result of the implementation of this Plan will generate sufficient tax increments to pay for the cost of the projects. This Plan identifies the following: 1) the development expected to occur, 2) a projection of tax increments to be collected resulting from that development and other economic growth within the TID, and 3) a cash flow model demonstrating that the projected tax increment collections and all other revenues available such as debt issuance will be sufficient to pay all Project Costs.

In order to evaluate the economic feasibility of TID #5 it is necessary to project the amount of tax revenue that can be reasonably generated over the legal life of the TID. Included in Exhibit A is a proforma analysis of TID #5. The proforma analyzes expenses based on project plan costs of TID #5 against projected TID revenue. Tax revenue is conservatively estimated. Cash received from future TID #5 tax increments will be used to fund project costs and implementation of this Plan will also require that the City issue debt obligations to provide direct or indirect financing for the Projects to be undertaken. In 2042, the final year of revenue collection for the TID, it is projected to have repaid all expenditures and is left with a positive surplus balance.

Method of Financing and Timing of When Costs are to be Incurred

The City plans to fund project costs with cash received from future TID #5 tax increments and to issue obligations to provide direct or indirect financing for the Projects to be undertaken. The following is a list of the types of obligations the City may choose to utilize.

General Obligation (G.O.) Bonds or Notes

The City may issue G.O. Bonds or Notes to finance the cost of Projects included within this Plan. Wisconsin Statutes limit the principal amount of G.O. and State Trust Fund Loan debt that a community may have outstanding at any point in time to an amount not greater than five percent of its total equalized value (including increment values).

Board of Commissioners of Public Lands State Trust Fund Loans

The City may issue State Trust Fund Loans to finance the cost of Projects included within this Plan. Wisconsin Statutes limit the principal amount of State Trust Fund Loan and GO debt that a community may have

City of Sturgeon Bay
TID #5 Project Plan & District Boundary

outstanding at any point in time to an amount not greater than five percent of its total equalized value (including increment values).

Bonds Issued to Developers ("Pay as You Go" Financing)

The City may issue a bond to one or more developers who provide financing for projects included in this Plan. Repayment of the amounts due to the developer under the bonds are limited to an agreed percentage of the available annual tax increments collected that result from the improvements made by the developer. To the extent the tax increments collected are insufficient to make annual payments, or to repay the entire obligation over the life of the District, the City's obligation is limited to not more than the agreed percentage of the actual increments collected. Bonds issued to developers in this fashion are not general obligations of the City and therefore do not count against the City's borrowing capacity.

Federal/State Loan Grant Programs

The State and Federal governments often sponsor grant and loan programs that municipalities may potentially use to supplement TID expenditures or provide financing for capital costs which positively impact the District. These programs include Wisconsin Community Development Block Grants, Rural Development Administration Community Facility Loan/Grants, Transportation Economic Assistance Grants, and Economic Development Administration Grants. These programs require local match funding to ensure State and Federal participation in the project.

The actual amount of debt issuance will be determined by the City at its convenience and as dictated by the nature of the projects as they are implemented.

Plan Implementation

Projects identified will provide the necessary anticipated governmental services to the area, and appropriate inducements to encourage development of the area. The City anticipates making total project expenditures of approximately \$975,316 to undertake the projects listed in this Project Plan. The Expenditure Period of this District is 15 years from the date of adoption of the Creation Resolution by the Common Council. The projects to be undertaken pursuant to this Project Plan are expected to be financed primarily with tax increments and debt proceeds. The City reserves the right to alter the implementation of this Plan to accomplish this objective. Interest rates projected are based on current market conditions. Municipal interest rates are subject to constantly changing market conditions. In addition, other factors such as the loss of tax-exempt status of municipal bonds or broadening the purpose of future tax-exempt bonds would affect market conditions. Actual

interest expense will be determined once the methods of financing have been approved and securities or other obligations are issued.

If financing as outlined in this Plan proves unworkable, the City reserves the right to use alternate financing solutions for the projects as they are implemented.

Annexed Property

There are no lands proposed for inclusion within the TID that were annexed by the City on or after January 1, 2004.

Proposed Changes in Zoning Ordinances

The current property in the TID is zoned Residential. The zoning classification for the school parcel (parcel #2816205000208 is proposed to be changed to Planned Unit Development (PUD) with an underlying classification of Multiple-Family Residential (R-4). No change is proposed for parcel #281230527260007.

Proposed Changes in Master Plan, Map, Building Codes and Town Ordinances

The City does not anticipate that the TID will require any changes in the master plan, map, building codes, and City ordinances to implement this project plan. The proposed development and uses are consistent with the adopted Sturgeon Bay Comprehensive Plan.

Relocation

The City does not anticipate the need to relocate persons or businesses in conjunction with this Plan. In the event relocation or the acquisition of property by eminent domain becomes necessary at some time during the implementation period, the City will follow applicable state statutes as required in Wisconsin Statutes Chapter 32.

Orderly Development of the City

The creation of the TID will enable the City to undertake projects in furtherance of the stated objectives of its Comprehensive Plan and other

City of Sturgeon Bay
TID #5 Project Plan & District Boundary

planning documents. To this extent, the creation of the TID promotes the orderly development of the City.

A List of Estimated Non-Project Costs

Non-Project costs are public works projects that only partly benefit the TID or are not eligible to be paid with tax increment, or costs not eligible to be paid with Tax Incremental Financing funds. The City does not anticipate any non-project costs for the TID.

City Attorney Opinion

Exhibit B contains a signed opinion from the City attorney advising whether the project plan amendment is complete and complies with Section 66.1105(4)(f) of the Wisconsin Statutes.

EXHIBIT A
CASH FLOW PROFORMA ANALYSIS
TID #5

City of Sturgeon Bay
Tax Increment District No. 5
Cash Flow Proforma Analysis

Assumptions	
Annual Inflation During Life of TID	1.00%
2020 Gross Tax Rate (per \$1,000 Equalized Value)	\$24.45
Annual Adjustment to tax rate	0.00%
Investment rate	0.50%

Data above dashed line are actual

Background Data				
Year	(a) TID District Valuation	(b) Inflation Increment	(c) Construction Increment	(d) (e) TIF Increment Tax Rate
2021	\$0	\$0	\$2,400,000	\$0 \$24.45
2022	\$0	\$0	\$2,400,000	\$0 \$24.45
2023	\$2,400,000	\$24,000	\$1,500,000	\$3,240,000 \$24.45
2024	\$3,240,000	\$32,400	\$1,500,000	\$3,960,000 \$24.45
2025	\$3,960,000	\$39,600	\$1,500,000	\$4,002,000 \$24.45
2026	\$4,002,000	\$40,020	\$1,500,000	\$4,044,000 \$24.45
2027	\$4,044,000	\$40,440	\$1,500,000	\$4,086,000 \$24.45
2028	\$4,086,000	\$40,860	\$1,500,000	\$4,128,000 \$24.45
2029	\$4,128,000	\$41,280	\$1,500,000	\$4,170,000 \$24.45
2030	\$4,170,000	\$41,700	\$1,500,000	\$4,212,000 \$24.45
2031	\$4,212,000	\$42,120	\$1,500,000	\$4,254,000 \$24.45
2032	\$4,254,000	\$42,540	\$1,500,000	\$4,296,000 \$24.45
2033	\$4,296,000	\$42,960	\$1,500,000	\$4,338,000 \$24.45
2034	\$4,338,000	\$43,380	\$1,500,000	\$4,380,000 \$24.45
2035	\$4,380,000	\$43,800	\$1,500,000	\$4,422,000 \$24.45
2036	\$4,422,000	\$44,220	\$1,500,000	\$4,464,000 \$24.45
2037	\$4,464,000	\$44,640	\$1,500,000	\$4,506,000 \$24.45
2038	\$4,506,000	\$45,060	\$1,500,000	\$4,548,000 \$24.45
2039	\$4,548,000	\$45,480	\$1,500,000	\$4,590,000 \$24.45
2040	\$4,590,000	\$45,900	\$1,500,000	\$4,632,000 \$24.45
2041	\$4,632,000	\$46,320	\$1,500,000	\$4,674,000 \$24.45
2042	\$4,674,000	\$46,740	\$1,500,000	\$4,716,000 \$24.45

Revenues			
Year	(f) Tax Revenue	(g) Investment Proceeds	(h) Total Revenues
2021	\$0	\$0	\$0
2022	\$0	\$0	\$0
2023	\$30,600	\$0	\$30,600
2024	\$35,940	\$0	\$35,940
2025	\$36,900	\$0	\$36,900
2026	\$37,860	\$0	\$37,860
2027	\$38,820	\$0	\$38,820
2028	\$39,780	\$0	\$39,780
2029	\$40,740	\$0	\$40,740
2030	\$41,700	\$0	\$41,700
2031	\$42,660	\$0	\$42,660
2032	\$43,620	\$0	\$43,620
2033	\$44,580	\$0	\$44,580
2034	\$45,540	\$0	\$45,540
2035	\$46,500	\$0	\$46,500
2036	\$47,460	\$0	\$47,460
2037	\$48,420	\$0	\$48,420
2038	\$49,380	\$0	\$49,380
2039	\$50,340	\$0	\$50,340
2040	\$51,300	\$0	\$51,300
2041	\$52,260	\$0	\$52,260
2042	\$53,220	\$0	\$53,220

Expenditures				
Year	(i) Principal (3.1%)	(j) Interest AVG= 2.00%	(k) Debt Service	(l) Administrative/ Organizational Fees
2021	\$73,773	\$31,262	\$105,035	\$1,500
2022	\$82,858	\$32,177	\$105,035	\$1,500
2023	\$92,943	\$33,092	\$105,035	\$1,500
2024	\$103,028	\$34,007	\$105,035	\$1,500
2025	\$113,113	\$34,922	\$105,035	\$1,500
2026	\$123,198	\$35,837	\$105,035	\$1,500
2027	\$133,283	\$36,752	\$105,035	\$1,500
2028	\$143,368	\$37,667	\$105,035	\$1,500
2029	\$153,453	\$38,582	\$105,035	\$1,500
2030	\$163,538	\$39,497	\$105,035	\$1,500
2031	\$173,623	\$40,412	\$105,035	\$1,500
2032	\$183,708	\$41,327	\$105,035	\$1,500
2033	\$193,793	\$42,242	\$105,035	\$1,500
2034	\$203,878	\$43,157	\$105,035	\$1,500
2035	\$213,963	\$44,072	\$105,035	\$1,500
2036	\$224,048	\$44,987	\$105,035	\$1,500
2037	\$234,133	\$45,902	\$105,035	\$1,500
2038	\$244,218	\$46,817	\$105,035	\$1,500
2039	\$254,303	\$47,732	\$105,035	\$1,500
2040	\$264,388	\$48,647	\$105,035	\$1,500
2041	\$274,473	\$49,562	\$105,035	\$1,500
2042	\$284,558	\$50,477	\$105,035	\$1,500

TID Status		
(n) Annual Balance	(o) Year End Cumulative Balance (December 31)	(p) Cost Recovery Year
\$0	\$0	2021
(\$1,500)	(\$1,500)	2022
(\$3,000)	(\$3,000)	2023
(\$4,500)	(\$4,500)	2024
(\$6,000)	(\$6,000)	2025
(\$7,500)	(\$7,500)	2026
(\$9,000)	(\$9,000)	2027
(\$10,500)	(\$10,500)	2028
(\$12,000)	(\$12,000)	2029
(\$13,500)	(\$13,500)	2030
(\$15,000)	(\$15,000)	2031
(\$16,500)	(\$16,500)	2032
(\$18,000)	(\$18,000)	2033
(\$19,500)	(\$19,500)	2034
(\$21,000)	(\$21,000)	2035
(\$22,500)	(\$22,500)	2036
(\$24,000)	(\$24,000)	2037
(\$25,500)	(\$25,500)	2038
(\$27,000)	(\$27,000)	2039
(\$28,500)	(\$28,500)	2040
(\$30,000)	(\$30,000)	2041
(\$31,500)	(\$31,500)	2042

Type of TID: Mixed-Use
2021 TID Inception (9/7/2021)
2036 Final Year to Incur TIF Related Costs
2041 Maximum Legal Life of TID (20 Years)
2042 Final Tax Collection Year

(1) Per City estimates.

**EXHIBIT B
CITY ATTORNEY OPINION**

**EXHIBIT C
TID #5 BOUNDARY LEGAL DESCRIPTION**

A parcel of land partly in Subdivision 5 of the Assessor's Map of the City of Sturgeon Bay, and partly in Babel Subdivision, located in the S ½ of the NW ¼ of Section 5, Township 27 North, Range 26 East, City of Sturgeon Bay, Door County, Wisconsin bounded and described as follows;

Commencing at the intersection of the southerly right-of-way line of Delaware Street and the westerly right-of-way line of North 8th Avenue, thence southerly along westerly right-of-way line of North 8th Avenue to the intersection with the centerline of the right-of-way of Erie Street, thence westerly along said centerline of the right-of-way of Erie Street to the intersection with the easterly line of Lot 7, Babel Subdivision extended, thence S 11°31'40" E along said easterly line of Lot 7 extended to the northeast corner of said Lot 7, thence S 11°31'40" E along the easterly line of said Lot 7 423.34 feet to the intersection with the northerly right-of-way of Florida Street as dedicated in the Babel Subdivision, thence S 89°53'00" W along said northerly right-of-way line 86.20 feet to the southwest corner of said Lot 7, thence N 10°51'40" W along the westerly line of said Lot 7 422.01 feet to the northwest corner of said Lot 7, thence continue N 10°51'40" W to the intersection with the centerline of the right-of-way of Erie Street, thence westerly along said centerline to the intersection with the easterly line of Sunset Hill Plat, thence northerly along said easterly line of Sunset Hill Plat to northeast corner of Lot 6, Block 3 of Sunset Hill Plat, thence easterly along the southerly right-of-way line of Delaware Street to the point of commencement.

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Joshua J. Van Lieshout
City Administrator

920-746-6905 (Voice)
920-746-2905 (Fax)

Memorandum

To: City of Sturgeon Bay Mayor and Common Council

From: Josh Van Lieshout, City Administrator

Re: Intergovernmental Agreement and Lodging Tax Ordinance

Date: September 2, 2021

Background:

Attached are the long anticipated revised Lodging Tax Ordinance and Intergovernmental Agreement, the successful passage of these documents will implement a number changes, the most visible being changing the lodging tax rate from 5.5 to 8 percent, there are a number of other important changes to the Lodging Tax Ordinance that provide for, and modernize and strengthen the reporting, compliance and enforcement provisions.

Tourism Zone Commission attorney William Vande Castle, S.C. has been working on the updates. He is the same attorney who worked on drafting the original ordinance and intergovernmental agreement. He is also the attorney who prosecutes lodging tax ordinance on behalf of the member municipalities including the City.

All of the changes have been reviewed and approved by the Tourism Zone Commission whose members are appointed by each municipality in the Zone.

In order for the rate and additional enforcement tools to become effective, thirteen, of the nineteen-member municipality's legislative bodies must pass the same ordinance and intergovernmental agreement. The state laws that authorize municipalities to form a tourism zone such as ours, also prohibit municipalities from having different lodging tax rates and authorizing ordinances if they are in the same zone.

If a municipality chooses not to pass the revised ordinance and intergovernmental agreement, that community would no longer be a part of the Tourism Zone and Commission and would then become ineligible to receive or be a part of any benefits of destination marketing efforts. Furthermore, the Commission would no longer be able to enforce that municipality's lodging tax ordinance or perform compliance reporting. Finally, local businesses would necessarily be excluded from destination marketing and promotion.

Options: Approve the revised ordinance and authorizing resolution for the Intergovernmental Agreement.

Take no action.

Recommendation: Approve the ordinance and intergovernmental agreement as presented. Suitable motions would be:

For the lodging tax ordinance amendment:

I move to approve the Ordinance amending the provisions of the City of Sturgeon Bay Room Tax Ordinance

For the intergovernmental agreement:

I move to approve the resolution authorizing and approving Intergovernmental Room Tax Agreement Amendment Number Three.

For your convenience and use, on the following pages is a summary of the approved changes to the Lodging Tax Ordinance.

SUMMARY OF CHANGES: UNIFORM LODGING TAX ORDINANCE

Approved by the Door County Tourism Zone Commission

June 3, 2021

- **Section 1, Definitions.** A number of revisions of the original definitions to be consistent with the amendatory nature of the agreement. Several new definitions were added which come from the provisions of the state statute Sec. 66.0615, Stats.
 - **Section 1(d), Gross Receipts, Definitions.** To align with provisions effective January 1, 2020, 2019 Wis. Act 10 clarifies that a marketplace provider is required to collect and remit sales or use tax for all sales of taxable products and services in Wisconsin that the marketplace provider facilitates on behalf of a marketplace seller, as provided in secs. 77.52(3m)(a) and 77.523(1), Wis. Stats.
 - The Act also reverses the effect of the decision in Orbitz, LLC vs. Wisconsin Department of Revenue, (Wisconsin Court of Appeals, District IV, February 11, 2016) by requiring marketplace providers that facilitate sales of all services under sec. 77.52(2), Wis. Stats., including lodging services, to collect and remit sales or use tax on the entire amount charged to a purchaser, as provided in sec. 77.52(3m)(a), Wis. Stats.
- **Section 2, Creation of the Tourism Zone.**
 - **Section 2(a), Establishment and Authorization.** This section has been modified to be consistent with the provisions of Sec. 66.0615(1m)(b)(2), Stats., that authorizes municipalities to join together under a Sec. 66.0301, Stats., Tourism Zone Agreement to form and establish a "Tourism Zone" consisting of two or more municipalities.
 - **Section 2(b), Tourism Zone Operation.** This section has been modified to be consistent with the provisions of Sec. 66.0615(1m)(b)(2), Stats., that authorizes municipalities to join together under a Sec. 66.0301, Stats., Tourism Zone Agreement to form and establish a "Tourism Zone". The Zone shall administer and monitor the collection of room taxes from member municipalities as described in Section 6. This section also outlines that the Zone shall contract with one tourism entity from the municipalities to promote the zone to visitors.
- **Section 3, Imposition of Room Tax.** A number of the changes addressed by the Commission are incorporated into the sub-provisions of this Section.
 - **Section 3(a), Tax Imposed.** The tax rate was increased to 8% from 5.5%.

- **Section 3(b), Taxation Effective Date.** The effective date will be the agreed upon effective date of the room tax increase (which currently is January 1, 2022).
- **Section 3(c), Room Tax Payment Frequency.** Language to account for the slow down in USPS mailing allows for member municipality room tax distribution checks to arrive “on or before the end of each month”.
- **Section 3(d), Room Tax Responsibility.** This provides more specific obligation of the Lodging Provider for the collection and transmittal of the room tax to the commission. This revision was brought about by the necessity to identify the ultimate responsible party for the collection and payment of the room tax. In the collection and enforcement process we have sometimes encountered the situation where the property owner uses an agent and, where there has been a filing or a tax payment issue, the property owner has blamed the agent and, vice-versa. This change will eliminate the finger pointing game. This change also corresponds with the provisions of Subsection (d). The language of this Subsection has also been modified to include reference that should the Lodging Provider sell, transfer, or convey their Door County lodging business or property, the transferee of that business, as a condition of receiving a new Lodging Permit, will become liable for any unpaid, outstanding tax liability associated with that property, including any fees, interest or penalties that might also be due.
 - **Subsection 3(e)(1), Filing Date.** This subsection has been added to restate the mandatory time frame for filing the Monthly Room Tax Return. Additionally, to address Marketplace Provider reporting that may change under AB189/SB198 a flexible reporting language has been added, “The room tax report filed by a Marketplace Provider shall be filed by the end of the month following the month in which room tax was reported by that return unless otherwise provided by state regulation.”
- **Subsection 3(e)(1), Required Information.** Additions to this section include: Marketplace Sales and the amount of tax paid by each Marketplace Provider as required reporting information.
- **Subsection 3(e)(3), Amended or Corrected Room Tax Return.** This subsection has been added to address the concern for filing amended or corrected Monthly Room Tax Returns. This subsection also provides for an administrative filing fee for the filing the amended or corrected return. This section now provides a window aligned with WI DOR to amended returns, forty-eight (48) months after the filing of the original return that is being corrected. Language allowing amended returns to be subject to interest, penalties and late fees has been added as well.
- **Section 3(f), Delinquent Room Tax.**
 - The section was modified to also include non-compliance. This subsection now addresses both the failure to pay the room tax due but also failure to obtain a Lodging Permit and failure to file Monthly Room Tax Returns.
 - Legal counsel noted that, “For clarification, I have separated out the various provisions of Subsection (f), to follow the separate Statutory sections that are embodied in this Subsection. Much of the language remains the same but

instead of one large Subsection there are several small Subsections each related to a specific Subsection in Sec.66.0615, Stats.”

- **Subsection(f)(2), Failure to Timely File Monthly Room Tax Report.** An addition to the language was added to read, “ but not less than \$25.00”
- **Subsection (f)(5), False or Fraudulent Return.** This section has been modified to add the following penalty language for a false or fraudulent return, “a penalty of fifty (50%) percent of the tax determined to be due; twenty-five (25%) percent of the room tax due from the previous year; or, \$5,000.00, whichever is less...”
- **Section 3(f)(7), Prosecutions.** This subsection remains unchanged. It continues to provide that a Lodging Provider who has been found to have violated the Ordinance is also subject to pay all of the Commission’s costs of enforcement and prosecution, including the Commission’s actual attorney’s fees.
- **Section 4, Lodging Establishment to be licensed.**
 - **Section 4(b), permit Application.** The provisions of Section 4(b) calling for annual renewals of the Lodging Permit were deleted.
 - **Section 4(b)(1)** now includes the necessity for the name of the business in which is permitting the property must agrees with that used for Sales Tax Permits and Property Tax Records.
 - **Section 4(b)(5)** now includes that the permit applicant must supply their driver’s license number and or Federal Employer Identification Number of the operator of the business.
 - **Section 4(b)(7)** was added to close the loophole on permit holders saying they are closed and still operating. “Operating months indicated on the permit application must match all advertised availability.”
 - **Section 4(b)(8)** was added to include the Online Listing ID(s) for the property.
 - **Section 4(d), Records Retention.** Language was added to include guidelines for records retention.
 - **Section 4(e), Lodging Permit Deactivation.** This section was created to define how to deactivate a permit and the requirements to do so.
- **Section 5, Lodging Marketplace Providers to be Licensed.**
 - **Section 5(a), License Required.** This section was added to establish the requirement that Marketplace Providers must be permitted locally.
 - **Section 5(b), Permit Application.** Language was added to create an outline of the required information for Marketplace Providers.

- **Section 5(c), Permit Review and Issuance.** This section establishes the authority of the Commission to review and issue the Marketplace permits.
- **Section 5(d), Records Retention.** Reviews the requirements of record keeping for Marketplace Providers.
- **Section 5(e), Lodging Marketplace Provider Permit Deactivation.** This section reviews the steps required to deactivate a Marketplace Provider permit.
 - **Section 5(e)(1)** requires the Marketplace Platform to cease activity with the request for deactivation.
 - **Section 5(e)(2)** establishes that the Marketplace Platform permit will not be deactivated unless the reporting and payments are current and paid in full.
- **Section 6, Creation of A Commission.**
 - **Section 6(a), Commission Purpose.** This section is updated to reflect 70% distribution to the contracted Tourism Entity.
 - **Section 6(c), Commission Member Appointment Process and Terms of Office.** In this section, the word “agreement” is stricken so that the sentence reads, “While membership on the Commission is provided for each municipality in the Tourism Zone, all membership positions need not be filled if a municipality does not see a need.”
 - **Section 6(g), Commission Operational Funding.** Language was added to address the revised funding structure for the operation of the Commission with the removal of withholding the 4% to fund the Door County Tourism Zone Commission. This Subsection now includes provisions that provide that funding of the Commission’s operations is to be paid directly by member municipalities.
 - **Section 6(g)(1), Commission Administrative and Operating Expenses.** This section identifies the Commission’s administrative and operating expenses that are to be funded by the member municipalities.
 - **Section 6(g)(2), Additional Commission Administrative Expenses.** This section identifies the Commission’s administrative expenses relating to Commissioner’s that are also to be funded by the member municipalities through the Commission. The previous reference to “administrative assistant” has been revised to “staff”. Additionally, language was updated to include accounting fees and fees for the annual audit as a Commission administrative expense.
 - **Section 6(g)(3), Calculation of Municipal Contribution.** This section describes the mechanism and methodology for calculating and determining each member municipality’s annual contribution to the Commission’s administrative and operating expenses. It also provides that the Commission may withhold payment of a member municipality’s thirty (30%) percent share of the collected room tax revenues until that municipality makes its required administrative contribution.
- **Section 7, Distribution of Room Taxes Collected.**

- **Section 7(1), Tourism Promotion and Development.** This section has been updated to reflect the 70% to be allocated for the expenditure of tourism promotion and development. This is a fundamental change in operations.
 - **Section 7 (1)(a)-(b).** Previously, the Tourism Zone has distributed the marketing portion for tourism promotion and development to Destination Door County. This section along with Section 2(b) and Section 6(g) outline the engagement with the Tourism Entity. Section 7 outlines that the Tourism Entity would only receive a budgeted amount of revenue for destination marketing (tourism promotion and development) and the excess revenue would then be established to contain funds in excess of the approved annual tourism entity budget (DDC) to be used exclusively for such tourism promotion or tourism development projects as the Commission shall, from time to time so determine in the manner made and provided herein per Section 1 (l)/Section 7(b).
 - The municipal allocation remains at the statutory 30% distribution.
- **Section 8, Tourism Entity.**

ORDINANCE NO.
AN ORDINANCE AMENDING THE PROVISIONS OF THE CITY OF
STURGEON BAY ROOM TAX ORDINANCE.

WHEREAS, pursuant to Sec. 66.0615, Wis. Stats., the City of Sturgeon Bay has previously adopted an ordinance imposing a tax on the privilege of furnishing, at retail, rooms or lodging to transients by hotel keepers, motel operators and other persons furnishing accommodations that are available to the public (the "Room Tax"); and,

WHEREAS, the City of Sturgeon Bay is desirous of amending its current Room Tax Ordinance to increase the Room Tax to eight (8.0%) percent as authorized by Sec. 66.0615(1m)(a), Wis. Stats.; and

WHEREAS, the City of Sturgeon Bay is desirous of amending its current Room Tax Ordinance to address issues of enforcement and collection of the room tax as imposed thereunder; and

WHEREAS, Door County Tourism Zone Commission, previously established by the municipalities of Door County, including the City of Sturgeon Bay, has recommended revisions to the current municipal Room Tax Ordinances in the manner set forth on EXHIBIT "A" hereto;

NOW THEREFORE, the Common Council of the City of Sturgeon Bay Door County, Wisconsin, does hereby ordain as follows:

SECTION 1 Adoption of Code Amendment.

That the amendments to the current Room Tax Ordinance, as set forth on EXHIBIT "A" attached and annexed hereto and incorporated herein, be, and the same hereby are adopted as amendments to Chapter 30, Sections 30.01 through 30.02 of the Code of Ordinances of the City of Sturgeon Bay.

SECTION 2 Available for Inspection.

A copy of this code section shall be permanently on file and open to public inspection in the Office of the City Clerk after its enactment and for a period of not less than two (2) weeks before its enactment.

SECTION 3 Ordinances in Conflict.

All other ordinances in conflict herewith be, and the same hereby are repealed.

SECTION 4 Effective Date

This ordinance shall take effect and be in full force from and after its passage and publication according to law.

SECTION 5 Severability

If a court of competent jurisdiction adjudges any section, clause, provision or portion of this ordinance unconstitutional or invalid, the remainder of this ordinance shall not be affected thereby.

ADOPTED: _____

APPROVED: _____

City of Sturgeon Bay

By: _____

David J. Ward, Mayor

ATTEST:

By: _____

Stephanie Reinhardt, Clerk

EXHIBIT “A”

ROOM TAX ORDINANCE

Section 1 DEFINITIONS

In this Ordinance, the following words and phrases shall have the following meanings when used in this Contract, unless the context clearly indicates a different meaning is intended:

- (a) “*Commission*” has the meaning defined in Sec. 66.0615(a), Wis. Stats.
- (b) “*Door County Tourism Zone*” shall mean the Tourism Zone authorized and establish in Door County, Wisconsin pursuant to the provisions of Sec. 66.0615, Wis. Stats., under the provisions of the Tourism Zone Agreement among the municipalities participating therein.
- (c) “*Door County Tourism Zone Commission*” shall mean the Commission established hereunder for the administration of the room tax pursuant to Sec. 66.0615, Wis. Stats.
- (d) “*Gross Receipts*” shall mean the total revenue received from the retail furnishing of rooms, lodging, or similar accommodations by a Lodging Provider as defined herein, including any Lodging Marketplace provider service fees.
- (e) “*Hotel and Motel*” have the meaning as defined in Sec. 77.52(2)(a)1, Wis. Stats., as being a building or a group of buildings in which the public may obtain accommodations for a consideration, including, without limitation, such establishments as inns, motels, tourist homes, tourist houses or courts, bed and breakfast establishments, lodging houses, rooming houses, summer camps, apartment hotels, resort lodges and cabins, commercial indoor lodging facilities and any other building or group of building in which accommodations are available to the public, except accommodations rented for a continuous period of more than thirty (30) consecutive days and accommodations furnished by any hospitals, sanitariums or nursing homes or by corporations or associations organized and operated exclusively for religious, charitable or educational purposes provided that no part of the net earnings of such corporations and associations inures to the benefit of any private shareholder or individual.
- (f) “*Lodging Permit*” shall mean the permit issued by the Commission to Lodging Providers authorizing the furnishing, at retail of rooms or lodging to Transients by hotelkeepers, motel operators, lodging marketplaces, owners of short-term rentals, and other persons furnishing accommodations that are available to the public, irrespective of whether membership is required for use of the accommodations.

- (g) *“Lodging Marketplace” or “Lodging Marketplace Provider”* shall mean an entity that provides a platform through which an unaffiliated 3rd party offers to rent a short-term rental to an occupant and collects the consideration for the rental from the occupant.
- (h) *“Lodging Provider”* shall mean the operator of a Hotel or Motel, as defined herein above.
- (i) *“Member Municipalities”* shall mean the municipalities located in Door County, Wisconsin which have created and established the Door County Tourism Zone and the Door County Tourism Zone Commission to operate and administer the Tourism Zone.
- (j) *“Municipality”* means the City of Sturgeon Bay, Door County, Wisconsin.
- (k) *“Payor”* means the transient lodging person or entity who owes the tax imposed by this ordinance.
- (l) *“Reserve Fund”* means the fund established and maintained by the Commission containing funds in excess of the approved annual Tourism Entity budget to be used exclusively for such tourism promotion or tourism development projects as the Commission shall, from time to time so determine in the manner made and provided herein.
- (m) *“Room Tax”* means the tax imposed pursuant to this ordinance for the privilege of furnishing, at retail, except sales for resale, rooms or lodging to transients by hotelkeepers, motel operators and other persons furnishing accommodations that are available to the public, irrespective of whether membership is required for use of the accommodations, subject to the exceptions provided in Sec. 66.0615(1)(m)a, Wis. Stats.
- (n) *“Tourism”* has the meaning as defined in Sec.66.0615(1)(e), Wis. Stats., as being any travel for recreational, business or educational purposes.
- (o) *“Tourism Entity”* shall mean a nonprofit organization that came into existence before January 1, 2015, spends at least 51 percent of its revenues on tourism promotion and tourism development, and provides destination marketing staff and services for the tourism industry in a municipality, except that if no such organization exists, a municipality may contract with one of the following entities:
 - 1. A nonprofit organization that spends at least 51 percent of its revenues on tourism promotion and tourism development, and provides destination marketing staff and services for the tourism industry in a municipality; or
 - 2. A nonprofit organization that was incorporated before January 1, 2015, spends 100 percent of the room tax revenue it receives from a municipality on tourism

promotion and tourism development, and provides destination marketing staff and services for the tourism industry in a municipality.

- (p) *“Tourism promotion and development”* has the meaning as defined in Sec. 66.0615(1)(fm), Wis. Stats., as being any of the following that are significantly used by transient tourists and reasonably likely to generate paid overnight stays at more than one establishment on which a tax under sub. (1m) (a) may be imposed, that are owned by different persons and located within a municipality in which a tax under this section is in effect; or, if the municipality has only one such establishment, reasonably likely to generate paid overnight stays in that establishment:
1. Marketing projects, including advertising media buys, creation and distribution of printed or electronic promotional tourist materials, or efforts to recruit conventions, sporting events, or motorcoach groups.
 2. Transient tourist informational services.
 3. Tangible municipal development, including a convention center.
- (q) *“Tourism Zone”* has the meaning as defined in Sec. 66.0615, Wis. Stats. as being an area made up of two or more municipalities that, those municipalities agree, is a single tourism destination as perceived by the traveling public.
- (r) *“Tourism Zone Agreement”* shall mean an intergovernmental agreement created under the provisions of Sec. 66.0301, Wis. Stats., for the purpose provided under Sec. 66.0615(1m)(b)2, Wis. Stats.
- (s) *“Tourism Zone Audit”* shall mean the annual Room Tax audit to be performed by the Commission and provided to the Member Municipalities.
- (t) *“Transient”* has the meaning as defined in Sec. 77.52(2)(a)1, Wis. Stats., as being any person residing for a continuous period of less than thirty (30) consecutive days in a Hotel, Motel, or other furnished accommodations available to the public.

Section 2 CREATION OF TOURISM ZONE

- (a) Establishment and Authorization. Pursuant to Sec. 66.0615(1m)(b)(2), Wis. Stats., the (City / Village / Town) of _____ does, by the adoption of this Ordinance, re-affirm the establishment and its membership and participation in the Door County Tourism Zone for the purpose of promoting Door County, Wisconsin as a single tourism destination under and pursuant to the terms and conditions of the Tourism Zone Agreement.

- (b) Tourism Zone Operation. The Tourism Zone shall be administered and operated by a commission pursuant to Sec. 66.0615(1m)(b), Wis. Stats., which shall be established under a contract with the other Member Municipalities pursuant to Sec. 66.0301, Wis. Stats., to create a commission which shall administer and monitor the collection of room taxes from the Member Municipalities, as more particularly described in Section 6 hereof, and shall contract with one tourism entity from the municipalities in the zone to obtain staff, support services and assistance in developing and implementing programs to promote the zone to visitors.

Section 3 IMPOSITION OF ROOM TAX

- (a) Tax Imposed. Pursuant to Sec. 66.0615, Wis. Stats., a tax is hereby imposed on the privilege and services of furnishing, at retail, of rooms or lodging to transients by hotel keepers, motel operators and other persons furnishing accommodations that are available to the public, irrespective of whether membership is required for the use of the accommodations. Such tax shall be at the rate of 8.0% percent of the gross receipts from such retail furnishing of rooms or lodgings. Such tax shall not be subject to the selective sales tax imposed by Sec. 77.52 (2)(a)1, Wis. Stats., and may not be imposed upon sales to the Federal Government and persons listed under Sec. 77.54 (9a), Wis. Stats.
- (b) Taxation Effective Date. The effective date of the Room Tax shall be January 1, 2022.
- (c) Room Tax Payment Frequency. Subject to the Room Tax exemptions provided in Section 3(a) hereof, the Lodging Provider shall impose upon and collect from each Transient Lodger the Room Tax established Section 3(a) hereof and paid by the lodging property thereafter pay over the collected Room Tax to the Commission on a monthly basis. The Room Tax collected hereunder shall be paid by the end of the month following the month in which it was collected. The Room Tax is owed to the local municipality which imposed the tax, but the municipality directs that all checks be sent directly to the Commission. If the Room Tax payments for all properties in a municipality are sent directly to the Commission, the Commission will send one check by the on or before the end of each month to the municipality for thirty percent (30%) of all Room Tax collected the previous month along with a report showing the amount of Room Tax collected from each lodging property. In the latter case, the Commission does all the paperwork as part of their monitoring.
- (d) Room Tax Responsibility. The correct amount of Room Tax shall accompany each lodging property's monthly room tax return and be made payable to the Door County Tourism Zone Commission unless any portion of that Tax is otherwise collected and paid to the Commission by a Lodging Marketplace. If any person liable for any amount of tax under this agreement sells, transfers, assigns or conveys their transient lodging business, or their lodging property, their successors or assignee shall, as a condition of receiving a new Lodging Permit under the provisions of Section 4 hereof, withhold a sufficient amount of from the purchase price to cover any and all applicable taxes, fees, interest and penalties, if any, until the former owner

produces a receipt from the Commission that all such taxes, fees, interest and penalties have been paid or a certificate stating that no amount is due. If any person subject to the tax imposed by this agreement fails to withhold from the purchase price any tax, fees, interest or penalties otherwise due hereunder as required, they shall be personally liable for the payment thereof, even if such new owner of the lodging property is not continuing the transient lodging business.

(e) Monthly Room Tax Return.

- (1) Filing Date. The Monthly Room Tax Return shall be filed by the Lodging Provider by the end of the month following the month in which the room tax reported by that Return. The Room Tax Report filed by a Lodging Marketplace Provider shall be filed by the end of the month following the month in which the room tax reported by that Return unless otherwise provided by state regulation.
- (2) Required Information. The Monthly Room Tax Return filed with the room tax payment by the Lodging Provider shall contain the following information:
 - a. Name of the business,
 - b. Physical address, postal address, municipality located within,
 - c. Name of the designated person filling out the return,
 - d. Month and year the Return is for,
 - e. The total available rental units during the month (number of rental units in the facility multiplied by the days in the month or days they were open),
 - f. The total marketplace sales, the amount of room tax paid by each Lodging Marketplace Provider,
 - g. The number of rooms or units rented, total lodging sales for the month,
 - h. The room tax to be paid, (which should equal total lodging sales multiplied by the 8.0% Room Tax), and
 - i. The signature of the person filling out this return, attesting to the accuracy of the Return.

This information will allow the Commission to judge the accuracy of the return, and, with all returns in total, to judge the effectiveness of the tourism promotion. The Commission shall establish the form of the monthly tax return as either a paper and/or electronic document.

- (3) Amended or Corrected Room Tax Return. A Lodging Provider may, within forty-eight (48) months of the original filing date file an amended or corrected Monthly Room Tax Return. Such amended or corrected Monthly Room Tax Return shall be subject to any additional tax due plus associated interest, penalties and late fees as provided herein on such additional tax due, and be subject to an administrative fee of \$25.00.

(f) Non-Compliance and Delinquent Room Tax.

- (1) Failure to Timely File Monthly Room Tax Report. The Lodging Provider's Monthly Room Tax Report shall be filed within the time specified in Section 3(e)(1) hereinabove. Any Monthly Room Tax Report filed after that date shall be subject to a Late Filing Fee of \$25.00, in addition to other penalties, fees and interest as may be applicable hereunder.
- (2) Failure to Timely Pay Room Tax. The tax imposed pursuant to this ordinance shall become delinquent if not paid by Lodging Provider by the due date of the return as established in Section 3(e)(1) hereof. A forfeiture of twenty-five percent (25%) of the room tax due or five thousand dollars (\$5,000.00) whichever is less, of the tax imposed, but not less than \$25.00, is hereby established and due and owing in the event that the room tax is not paid within thirty (30) days after the due date of the return. In addition to this forfeiture, all unpaid taxes under this ordinance shall bear interest at the rate of twelve percent (12%) per annum from the due date of the Return until the payment is received and deposited by the Commission.
- (3) Inspection and Audit. Whenever the Commission has probable cause to believe that the correct amount of room tax has not been assessed or that the tax return is not correct, or that the tax has not been paid, the Commission is authorized to examine and inspect the books, records, memoranda and property of any person in order to verify the tax liability of that person or another person. Any Lodging Provider who fails to comply with a request from the Commission shall be subject to a penalty of five (5%) of the room tax determined to be due.
- (4) Room Tax Estimate. Whenever a Lodging Provider fails, neglects or otherwise refuses to file a Monthly Room Tax Return within the time, manner or form required by the Commission, the Commission may, using its best judgment, estimate the room tax due. The room tax estimated hereunder shall be subject to a penalty of twenty (20%) percent of the estimated tax due, plus all associated interest, penalties and late fees as provided hereunder. No refund or modification of the tax determined to be due and owing shall be made until the Lodging Provider files a correct room tax return and permits the Commission to inspect and audit the Lodging Provider's financial records to verify compliance.
- (5) False or Fraudulent Return. A Lodging Provider who files a false or fraudulent return with the intent to defeat, delay or evade the tax imposed by this ordinance, shall be subject to a penalty of fifty (50%) percent of the tax determined to be due; twenty-five (25%) percent of the room tax due from the previous year or \$5,000.00, whichever is less, plus interest and other penalties as provided under Sec. 66.0615(2m), Wis. Stats.
- (6) Separate Violations. Each room or unit separately rented or offered for rent, and each day of such rental or offer for rental of such unit shall be a separate violation.

In addition, injunctive relief is hereby authorized to discontinue violation of this ordinance.

- (7) Prosecutions. Any Lodging Provider or Lodging Marketplace Provider determined to have violated any of the provisions of this ordinance shall be obligated to pay the costs of enforcement and prosecution, in addition to actual attorney's fees and audit fees expended in the course of said enforcement and prosecution.
- (g) Room Tax Rate Adjustment. Any person or business otherwise required to file a return and make a payment, will be allowed an exemption from the requirement to collect and pay the increased Room Tax at the new rate of 8.00% for any signed contract dated prior to the adoption of this Ordinance in which the contract guarantees the lodging rates and the applicable taxes as of that date. This also applies to any gift certificate purchase before the adoption of this Ordinance, which is not for a fixed dollar amount, but, instead, for the amount paid, guarantees a particular lodging rate and the applicable taxes. This exemption does not apply to reservations made before the adoption of this Ordinance, which are not binding contracts.
- (h) Confidentiality of Reports. All Room Tax returns, schedules, exhibits, writings or audit reports relating to such returns, on file with the Commission and the municipality are deemed confidential pursuant to Sec. §66.0615(3), Wis. Stats., except they may divulge their contents to the following, and no others:
 - (1) The person who filed the return.
 - (2) Officers, employees or agents of the (City, Village or Town) Treasurer and the Commission or its duly authorized agents and representatives.
 - (3) Other persons for the use in the discharge of duties imposed by law, or in the discharge of the duties of their office (unless otherwise prohibited by law), or by order of a Court.

Section 4 LODGING ESTABLISHMENTS TO BE LICENSED

- (a) License Required. Any party supplying transient lodging in the (City / Village / Town) shall obtain and maintain a Lodging Permit from the Commission permitting the rental of accommodations. No accommodations shall be rented or available for rental for a period of less than thirty (30) days by any party not possessing a lodging permit issued by the Commission.
- (b) Permit Application. Any party furnishing lodging accommodations to transient guests in the (City / Village / Town) shall apply to and file with the Commission, on forms provided by the Commission, an application to operate each place of business subject to this

ordinance. There shall be no cost for the filing of the application for the Lodging Permit. The application form shall include, at minimum, the following information:

- (1) The name of the business under which the person, partnership or corporation transacts business or intends to transact business, which name shall agree with that used for Sales Tax Permits and Property Tax Records.
 - (2) The name of the agent for the business or other person designated as responsible to remit the Room Tax, and means to contact this person, including email address, postal address, telephone number, fax number and cell phone number.
 - (3) The physical and mailing address of the business.
 - (4) Number of rental units at the location for each month of the year during which the business is operating.
 - (5) The driver's license number and or Federal Employer Identification Number of the owner of the lodging business.
 - (6) The signature of the person designated in item b. above.
 - (7) Operating months indicated on the permit application must match all advertised availability.
 - (8) The Lodging Marketplace Provider online listing ID or ID's for all advertising in any form or format.
- (c) Permit Review and Issuance. The Commission may accept the application, review it for accuracy and issue the Lodging Permit. The Permit shall not be assignable. The Permit shall only be valid for the person named on the application as being responsible to remit the Room Tax. In cases where that person should change or the ownership should change during the life of the permit, the application and issuance of a new permit shall be necessary.
- (d) Records Retention. As a condition of issuance of a Lodging Permit hereunder, the Lodging Provider agrees to retain all records related to short term lodging services hereunder for a period of not less than seven (7) years.
- (e) Lodging Permit Deactivation. A permitted Lodging Provider who ceases lodging operations may apply to the Commission for the de-activation of their Lodging Permit. De-activation of a Lodging Permit is subject to the following conditions:
- (1) All advertising in any form or format, including print and online, social media and web sites for the rental unit or units must be removed, discontinued and taken down.

- (2) The Lodging Provider must be current on all filings and tax payments.

Section 5 LODGING MARKETPLACE PROVIDERS TO BE LICENSED

(a) License Required. Any Lodging Marketplace Provider that provides a platform through which a Lodging Provider offers to rent a short-term rental to an occupant and collects the consideration for the rental from the occupant shall obtain and maintain a Marketplace Provider Permit from the Commission.

(b) Permit Application. Any Lodging Marketplace Provider providing a platform through which a Lodging Provider can offer short term rentals and lodging accommodations to transient guests in the (City / Village / Town) shall apply to and file with the Commission, on forms provided by the Commission, an application to provide such services within the (City / Village / Town). There shall be no cost for the filing of the application for the Lodging Marketplace Provider Permit. The application form prepared and supplied by the Commission shall include, at minimum, the following information:

- (1) The name and tradename of Lodging Marketplace Provider under which it transacts business or intends to transact business.
- (2) The physical and mailing address of the Lodging Marketplace Provider.
- (3) The Federal Employer Identification Number (FEIN) of the Lodging Marketplace Provider.
- (4) The email address for the primary contact person at the Lodging Marketplace Provider.
- (5) The contact name and physical and electronic contact information of and for the person at the Lodging Marketplace Provider who will be submitting the Lodging Marketplace Provider reporting.

(c) Permit Review and Issuance. The Commission may accept the Lodging Marketplace Provider application, review it for accuracy and issue the Lodging Marketplace Provider in the form determined by the Commission. The Lodging Marketplace Provider Permit shall not be assignable. The Lodging Marketplace Provider Permit shall only be valid for the Lodging Marketplace Provider identified on the application. In the event of an ownership or name change, Lodging Marketplace Provider shall apply for a new Lodging Marketplace Provider Permit.

(d) Records Retention. As a condition of issuance of a Lodging Marketplace Provider Permit hereunder, the Lodging Marketplace Provider agrees to retain all records related to lodging marketplace provider services to Lodging Providers hereunder for a period of not less than seven (7) years.

(e) Lodging Marketplace Provider Permit Deactivation. A permitted Lodging Marketplace Provider who ceases operations within Door County, Wisconsin may apply to the Commission for the de-activation of their Lodging Marketplace Provider Permit. De-activation of a Lodging Permit is subject to the following conditions:

- (1) All lodging marketplace platform services in any form or format in Door County, Wisconsin must cease, be discontinued and otherwise terminated.
- (2) The Lodging Marketplace Provider must be current on all filings and tax payments.

Section 6 CREATION OF A COMMISSION

- (a) Commission Purpose. The municipalities shall enter into a contract under Wis. Stats. §66.0615 to create a Commission under the Intergovernmental Cooperation provisions of Sec. 66.0301(2), Wis. Stats. The Commission shall contract with a Tourism Entity, as defined under Sec. 66.0615(1)(f), Stats., for the promotion of the destination with a minimum of Seventy (70%) percent of the room taxes collected.
- (b) Commission Membership. The Commission created by a Tourism Zone Agreement under Wis. Stats. §66.0615 shall consist of the following members:
- (1) Two (2) members from each municipality in which annual tax collections exceed \$300,000.
 - (2) One (1) member from each municipality in which annual tax collections are \$300,000 or less.
 - (3) Two additional members, who represent the Wisconsin hotel and motel industry, shall be appointed to the Commission by the Chairperson of the Commission. Those individuals shall serve for a one-year term at the pleasure of the Chairperson, and may be reappointed. These members shall not be members of the Board of Directors or employees of the Tourism Entity.
- (c) Commission Member Appointment Process and Terms of Office. Members of the Commission shall be appointed by the principal elected official in the municipality and shall be confirmed by a majority vote of the members of the municipality's governing body who are present when the vote is taken. Commissioners shall serve a one-year term, at the pleasure of the appointing official and may be reappointed. If a member of the Commission resigns or is removed for cause, the municipal body that appointed the member may appoint another person to fulfill the unexpired term. If the subject member was appointed by the Chairperson, they may appoint another person to fill the unexpired term. Members of the Commission shall receive no pay, but may be reimbursed for their travel expense. While membership on the Commission is provided for each municipality in the Tourism Zone, all

membership positions need not be filled if a municipality does not see a need. A member community that does not appoint a representative shall not count towards the determination of a quorum.

- (d) Applicability of State Open Meetings Law. The Commission shall be subject to the provisions of the Wisconsin Open Meetings and Open Records laws as amended.
- (e) Tourism Zone Commission. Authority is hereby delegated to the Door County Tourism Zone Commission to act as agent of this municipality in the enforcement of this ordinance as amended, for violation of the requirement of obtaining and maintaining a lodging permit when such lodging permit is required. The Door County Tourism Zone Commission shall have and may exercise the full authority which would otherwise be available to this municipality in the enforcement of this ordinance, including the ability to seek enforcement and penalties for failure to comply with the section requiring a lodging permit.
- (f) Role of Commission. The Commission shall perform such tasks as are specified in the Tourism Zone Agreement.
- (g) Commission Operational Funding. The administrative and operating expenses of the Commission, shall be paid by the Member Municipalities based upon and subject to the following:
 - 1. Commission Administrative and Operating Expenses. The Commission's administrative and operating expenses subject to contribution hereunder shall include, but are not limited to, the cost of: issuing permits; monitoring, enforcing and prosecuting the collection of Room Tax; reviewing the progress of the contracted Tourism Entity; approving the Tourism Entity's budget; approving the payment of monthly expenses; and, preparing monthly, quarterly and annual reports to the participating municipalities Member Municipalities, plus any and all tasks and costs necessary in the operation of the Commission.
 - 2. Additional Commission Administrative Expenses. The Commission's administrative expenses shall also include, but not be limited to, reimbursement of Commissioners for actual expenses and mileage while attending meetings or on official business for the Commission, wages paid to staff, mileage paid to staff when necessary for work related travel, rental of office space, accounting fees for the annual audit and other Commission related accounting services, insurance costs for coverages approved by the Commission, office equipment, office supplies, postage, telephone, internet, utilities and any legal expenses, including litigation and any other expenses associated with the collection of unpaid Room Tax. The rate paid for the mileage reimbursement hereunder shall be the same as the standard Internal Revenue Service rate for business mileage adjusted periodically
 - 3. Calculation of Municipal Contribution. The contribution amount owed by each Member Municipality shall be determined by its percentage share of the room tax collected, as shown on the previous year's Tourism Zone Audit, multiplied by the

adopted budget of the Commission. The amount determined hereunder shall be paid by each Member Municipality on or before February 1 of each year. In the event that a Member Municipality fails to pay its annual contribution payment when due, the Commission may withhold that Member Municipality's Municipal room tax allocation payment until such contribution payment is made.

Section 7 DISTRIBUTION OF ROOM TAXES COLLECTED

(a) Allocation of Collected Room Tax. Upon receipt of the room taxes that are collected from Lodging Providers providing transient lodging in the (City / Village / Town) the Commission shall, pursuant to Section 66.0615(1m)(d), Wis. Stats.:

- (1) Tourism Promotion and Development. Allocate seventy (70%) percent of the amount collected to be spent on tourism promotion and tourism development within the Tourism Zone in the following manner:
 - a. Forward an amount previously budgeted to be allocated to the Tourism Entity to the Tourism Entity.
 - b. Deposit the excess amount of the amount budget for the Tourism Entity to the Tourism Reserve Fund to be used and allocated by the Commission for tourism promotion and tourism development within the Tourism Zone to help promote local or special tourism promotion and tourism development within the Tourism Zone through the Tourism Entity. The tourism entity may from time-to-time present special non-budgeted promotions that may require the use of the reserve funds. The expenditure of funds from the Reserve Funds account, for any reason, shall require an approval by a two-thirds (2/3rds) vote by the full Commission membership present at a meeting, properly noticed and at which a quorum is present.
- (2) Municipal Allocation. Distribute thirty (30%) percent of the room taxes to the (City / Village / Town) for such uses and purposes as the (City Council / Village Board / Town Board) shall determine.

Section 8 TOURISM ENTITY

- (a) Contracted Services. The Commission shall, pursuant to Sec. 66.0615(1m)(b) 4, Wis. Stats., contract with a Tourism Entity to obtain staff, support services and assistance in developing and implementing programs to promote the Tourism Zone to visitors and spend room taxes revenues on tourism promotion and development within the Tourism Zone. The Tourism Entity shall not use any of the room tax revenue to construct or develop a lodging facility.

- (b) Tourism Revenue and Expenditure Tracking. The Tourism Entity shall track the use of Room Tax revenues and expenditures and state its impact on generating paid overnight stays in the Member Municipalities.
- (c) Annual Report. The Tourism Entity shall provide a written report as determined by the Tourism Commission, no less than annually, and such report shall be available to the municipality and public upon request.
- (d) Record Inspection. The Tourism Entity shall permit and allow inspections of its records pertaining to the use of the room tax funds upon request of the Tourism Commission at reasonable times.

Section 9 EFFECTIVE DATE

This Ordinance shall be effective on its passage and publication.

CITY OF STURGEON BAY
**RESOLUTION AUTHORIZING AND APPROVING
INTERGOVERNMENTAL ROOM TAX AGREEMENT
AMENDMENT NUMBER THREE**

WHEREAS, pursuant to Sec. 66.0615, Wis. Stats., the City of Sturgeon Bay has previously adopted an ordinance imposing a tax on the privilege of furnishing, at retail, rooms or lodging to transients by hotel keepers, motel operators and other persons furnishing accommodations that are available to the public (the "Room Tax"); and,

WHEREAS, the City of Sturgeon Bay has amend its current Room Tax Ordinance to increase the Room Tax to eight (8.0%) percent as authorized by Sec. 66.0615(1m)(a), Wis. Stats., and to modify the operations of the Room Tax Commissions; and

WHEREAS, in connection with the amendment to the Room Tax Ordinance, is desirous of amending its current Room Tax Ordinance the City of Sturgeon Bay is also desirous of amending the Intergovernmental Room Tax Agreement with the other Door County Municipalities comprising the Door County Tourism Zone to ensure that that Agreement is consistent with the amendments to the local Room Tax Ordinance in connection with the joint municipal operation of the Tourism Zone and the Tourism Zone Commission established by the member municipalities; and

WHEREAS, Door County Tourism Zone Commission, previously established by the member municipalities of Door County, including the City of Sturgeon Bay, has recommended revisions to the current municipal Intergovernmental Room Tax Agreement in the manner set forth on EXHIBIT "A" hereto;

NOW THEREFORE, the Common Council of the City of Sturgeon Bay, Door County, Wisconsin, does hereby RESOLVE in the following:

RESOLVED FIRST. That the THIRD AMENDED INTERGOVERNMENTAL ROOM TAX AGREEMENT, in the form presented herewith, be, and the same hereby is authorized and approved.

RESOLVED SECOND: That the Mayor and City Clerk be, and they hereby are, authorized, for and in the name of and on behalf of the City of Sturgeon Bay to sign, execute, file and deliver the THIRD AMENDED INTERGOVERNMENTAL ROOM TAX AGREEMENT in the form presented herewith or with such changes therein as shall be approved by those authorized officers, their execution and delivery thereof to constitute conclusive evidence of the approval of such changes.

RESOLVED THIRD: That the appropriate officers of the City of Sturgeon Bay be, and they hereby are, authorized to take all such other and further action and to

execute, deliver and file as appropriate, in the name and on behalf of the City of Sturgeon Bay, as they, in their judgment, shall determine necessary or convenient to carry out the intent and to accomplish the purposes of these Resolutions and perform all obligations of the City of Sturgeon Bay under the THIRD AMENDED INTERGOVERNMENTAL ROOM TAX AGREEMENT.

RESOLVED FOURTH: That this Resolution shall take effect immediately upon adoption and approval.

ADOPTED this ____ day of _____, 2021.

APPROVED this ____ day of _____, 2021.

City of Sturgeon Bay

David J. Ward, Mayor

ATTEST:

Stephanie Reinhardt, Clerk

INTERGOVERNMENTAL ROOM TAX AGREEMENT

Third Amendment and Restatement

THIS INTERGOVERNMENTAL AGREEMENT THIRD AMENDMENT AND RESTATEMENT is made and entered into the dates set forth herein below by and between the below identified Wisconsin governmental bodies located in Door County, Wisconsin (the "Municipalities") pursuant to the provisions of Sec. 66.0301, Wis. Stats., and Sec. 66.0615, Wis. Stats., for the purpose of promoting tourism in Door County, Wisconsin and the joint municipal administration of a local room tax.

PREAMBLE

WHEREAS, the Municipalities have, pursuant to the provisions of Sec. 66.0615, Wis. Stats., previously adopted, within their respective jurisdictions, a local room tax; and

WHEREAS, the Municipalities have previously entered into an intergovernmental agreement pursuant to the provisions of Sec. 66.0301, Wis. Stats., and Sec. 66.0615, Wis. Stats., (the "Agreement") to administer the local room tax through the establishment of a tourism zone encompassing the boundaries of the Municipalities, being all of Door County, Wisconsin, known as the "Door County Tourism Zone"; and

WHEREAS, the Municipalities have, pursuant to Sec. 66.0615, Wis. Stats., previously established a commission, known as the "Door County Tourism Zone Commission"; and

WHEREAS, the Municipalities have, as of January 1, 2009, previously amended the Agreement to address changes in the statutory room tax provisions and in the administration of the room tax by the Commission; and

WHEREAS, the Municipalities are again desirous of amending the Agreement to address additional recent statutory revisions and to increase the local room tax to 8.00%;

NOW, THEREFORE, in consideration of the foregoing recitals and of the mutual covenants and agreements contained herein, the parties agree as follows:

ARTICLE I

DEFINITIONS

Section 1.1 DEFINITIONS. The following words and phrases shall have the following meanings when used in this Agreement, unless the context clearly indicates a different meaning is intended:

- (a) "Agreement" shall mean this intergovernmental agreement among the Member Municipalities establishing a Room Tax Tourism Zone and a

Room Tax Commission to oversee the administration and enforcement of the Member Municipalities Room Tax Ordinances.

- (b) “*Commission*” has the meaning defined in Sec. 66.0615(a), Wis. Stats.
- (c) “*Commissioner*” shall mean an individual appointed by a Municipality to serve on the Commission as made and provided under the provisions of Sec. 66.0615, Wis. Stats.
- (d) “*Door County Tourism Zone*” shall mean the Tourism Zone authorized and establish in Door County, Wisconsin pursuant to the provisions of Sec. 66.0615, Wis. Stats., under the provisions of the Tourism Zone Agreement among the municipalities participating therein.
- (e) “*Door County Tourism Zone Commission*” shall mean the Commission established hereunder for the administration of the room tax pursuant to Sec. 66.0615, Wis. Stats.
- (f) “*Gross Receipts*” shall mean the total revenue received from the retail furnishing of rooms, lodging, or similar accommodations by a Lodging Provider as defined herein, including any Lodging Marketplace provider service fees.
- (g) “*Hotel and Motel*” have the meaning as defined in Sec. 77.52(2)(a)1, Wis. Stats., as being a building or a group of buildings in which the public may obtain accommodations for a consideration, including, without limitation, such establishments as inns, motels, tourist homes, tourist houses or courts, bed and breakfast establishments, lodging houses, rooming houses, summer camps, apartment hotels, resort lodges and cabins, commercial indoor lodging facilities and any other building or group of building in which accommodations are available to the public, except accommodations rented for a continuous period of more than thirty (30) consecutive days and accommodations furnished by any hospitals, sanitariums or nursing homes or by corporations or associations organized and operated exclusively for religious, charitable or educational purposes provided that no part of the net earnings of such corporations and associations inures to the benefit of any private shareholder or individual.
- (h) “*Lodging Permit*” shall mean the permit issued by the Commission to Lodging Providers authorizing the furnishing, at retail of rooms or lodging to Transients by hotelkeepers, motel operators, lodging marketplaces, owners of short-term rentals, and other persons furnishing accommodations

that are available to the public, irrespective of whether membership is required for use of the accommodations.

- (i) “*Lodging Marketplace*” or “Lodging Marketplace Provider” shall mean an entity that provides a platform through which an unaffiliated 3rd party offers to rent a short-term rental to an occupant and collects the consideration for the rental from the occupant.
- (j) “*Lodging Provider*” shall mean the operator of a Hotel or Motel, as defined herein above.
- (k) “*Member Municipalities*” shall mean the municipalities located in Door County, Wisconsin which have created and established the Door County Tourism Zone and the Door County Tourism Zone Commission to operate and administer the Tourism Zone as more particularly described on ATTACHMENT “A” hereto.
- (l) “*Municipality*” means the City of Sturgeon Bay, Door County, Wisconsin.
- (m) “*Payor*” means the transient lodging person or entity who owes the tax imposed by this ordinance.
- (n) “*Reserve Fund*” means the fund established and maintained by the Commission containing funds in excess of the approved annual Tourism Entity budget to be used exclusively for such tourism promotion or tourism development projects as the Commission shall, from time to time so determine in the manner made and provided herein.
- (o) “*Room Tax*” means the lodging tax of 8.00% imposed by ordinance of this Municipality and all of the Member Municipalities for the privilege of furnishing, at retail, except sales for resale, rooms or lodging to transients by hotelkeepers, motel operators and other persons furnishing accommodations that are available to the public, irrespective of whether membership is required for use of the accommodations, subject to the exceptions provided in Sec. 66.0615(1)(m)a, Wis. Stats.
- (p) “*Tourism*” has the meaning as defined in Sec.66.0615(1)(e), Wis. Stats., as being any travel for recreational, business or educational purposes.
- (q) “*Tourism Entity*” shall mean a nonprofit organization that came into existence before January 1, 2015, spends at least 51 percent of its revenues on tourism promotion and tourism development, and provides destination marketing staff and services for the tourism industry in a municipality,

except that if no such organization exists, a municipality may contract with one of the following entities:

1. A nonprofit organization that spends at least 51 percent of its revenues on tourism promotion and tourism development, and provides destination marketing staff and services for the tourism industry in a municipality; or
 2. A nonprofit organization that was incorporated before January 1, 2015, spends 100 percent of the room tax revenue it receives from a municipality on tourism promotion and tourism development, and provides destination marketing staff and services for the tourism industry in a municipality.
- (r) “*Tourism promotion and development*” has the meaning as defined in Sec. 66.0615(1)(fm), Wis. Stats., as being any of the following that are significantly used by transient tourists and reasonably likely to generate paid overnight stays at more than one establishment on which a tax under sub. (1m) (a) may be imposed, that are owned by different persons and located within a municipality in which a tax under this section is in effect; or, if the municipality has only one such establishment, reasonably likely to generate paid overnight stays in that establishment:
1. Marketing projects, including advertising media buys, creation and distribution of printed or electronic promotional tourist materials, or efforts to recruit conventions, sporting events, or motorcoach groups.
 2. Transient tourist informational services.
 3. Tangible municipal development, including a convention center.
- (s) “*Tourism Zone*” has the meaning as defined in Sec. 66.0615, Wis. Stats. as being an area made up of two or more municipalities that, those municipalities agree, is a single tourism destination as perceived by the traveling public.
- (t) “*Tourism Zone Agreement*” shall mean this intergovernmental agreement created under the provisions of Sec. 66.0301, Wis. Stats., for the purpose provided under Sec. 66.0615(1m)(b)2, Wis. Stats.
- (u) “*Tourism Zone Audit*” shall mean the annual Room Tax audit to be performed by the Commission and provided to the Member Municipalities.

- (v) “*Transient*” has the meaning as defined in Sec. 77.52(2)(a)1, Wis. Stats., as being any person residing for a continuous period of less than thirty (30) consecutive days in a Hotel, Motel, or other furnished accommodations available to the public.

Section 1.2 USE OF PHRASES; RULES OF CONSTRUCTION. The following provisions shall be applied wherever appropriate herein:

- (a) “Herein”, “hereby”, “hereunder”, “hereof” and other equivalent words refer to this Agreement as an entirety and not solely to the particular portion of this Agreement in which such word is used.
- (b) The definitions set forth in Section 1.1 hereof shall be deemed applicable whether the words defined are used in the singular or plural.

ARTICLE II

PURPOSE

Section 2.1 SINGLE DESTINATION. The Municipalities have previously agreed and continue to agree and acknowledge that the traveling public generally perceives the area encompassing the municipalities as a single tourism destination.

Section 2.2 TOURISM ZONE. Upon the agreement and acknowledgement that the traveling public perceives Door County, Wisconsin as a single tourism destination, the Municipalities agree to designate the area encompassing their respective municipal jurisdictions as a “Tourism Zone”, pursuant to Sec. 66.0615(1)(h), Wis. Stats., to be known as the “Door County Tourism Zone”.

Section 2.3 PURPOSE. The purpose of this Agreement shall be for the establishment of a Tourism Zone encompassing the jurisdictions of the Municipalities and for the joint administration and enforcement of the local room tax adopted by the Municipalities within the framework of the Tourism Zone.

ARTICLE III

ROOM TAX

Section 3.1 ROOM TAX IMPOSED. The Member Municipalities previously agreed and continue to agree to impose a room tax of 8.00% on transient lodgers by entities furnishing, at retail, rooms or lodging to transients, renting for less than thirty (30) days, by hotelkeepers, motel operators and other persons furnishing accommodations that are available to the public. In addition, any Condominium Association in which the

Association brokers any form of rental lodging that is subject to Sales or Use Tax shall also be subject to a room tax. Any Real Estate Agency or Property Management Company which also rents lodging that is subject to Sales or Use Tax shall also be subject to this Agreement. The Room Tax shall be imposed on the gross receipts, the total revenue received from the retail furnishing of rooms, lodging and all lodging amenities received for the rates charged by a hotel or motel as defined within this Agreement. Lodging amenities may include breakfast, newspaper, Internet, telephone, cable TV, swimming pool, whirlpools and other amenities not available without charge to the general public not staying at the lodging establishment. Sales not subject to the Room Tax would be any items sold over the counter, as in a gift shop, separate sales in an adjoining restaurant, room service, vending machine or bar, the part of a package sale that is separate from lodging. Sales not subject to sales tax would also be exempt from Room Tax. There is also no sales tax on the Room Tax.

Section 3.2 ROOM TAX ORDINANCE. Beginning effective as of May 1, 2007, the Member Municipalities previously agreed to and did enact a Room Tax Ordinance that imposed a local room tax on the privilege of furnishing, at retail, except sales for resale, rooms or lodging to transients by hotelkeepers, motel operators, lodging marketplaces, owners of short-term rentals, and other persons furnishing accommodations that are available to the public, irrespective of whether membership is required for use of the accommodations.

Section 3.3 ROOM TAX PAYMENT. The Commission shall require that the Room Tax should be paid by the Lodging Provider on a monthly basis to be paid by the end of the month following the month in which the tax was collected by the Lodging Provider. While the Room Tax is owed to the local municipality which imposed the tax, for convenience and collection purposes, all room tax returns and payments are to be sent directly to the Commission. Subject to the provisions of Section 4.12(c) hereof, the Commission shall, on or before the end of each month, send to each Member Municipality a payment along with the report required in Section 5.11 of this Agreement showing the total room tax collected from all lodging properties in their municipality for the previous month. This payment will equal thirty percent (30%) of all Room Tax collected in their municipality plus or minus any adjustments from the previous months.

Section 3.4 ROOM TAX AMENDMENT. That effective January 1, 2022, the local room tax to be administered hereunder pursuant to the amended local ordinances shall be 8.00%.

Section 3.5 ROOM TAX RATE ADJUSTMENT. Any person or business otherwise required to file a return and make a payment, will be allowed an exemption from the requirement to collect and pay the increased Room Tax at the new rate of 8.00% for any signed contract dated prior to the adoption of this Ordinance in which the contract guarantees the lodging rates and the applicable taxes as of that date. This exemption shall

also be applied to any gift certificate purchase before the adoption of this Ordinance, which is not for a fixed dollar amount, but, instead, for the amount paid, guarantees a particular lodging rate and the applicable taxes. This exemption does not apply to reservations made before the adoption of this Ordinance, which are not binding contracts.

ARTICLE IV ROOM TAX COMMISSION

Section 4.1 ROOM TAX COMMISSION. The Member Municipalities further agreed to and did create a Commission pursuant to the provisions of Wisconsin Statutes 66.0615, known as the “Door County Tourism Zone Commission”, for the purpose of monitoring and administering the collection of room taxes, including the enforcement thereof; for contracting with the Tourism Entity to obtain staff, support service and assistance in developing and implementing programs to promote the Tourism Zone to visitors; and, to do all things necessary and provided for by the statute.

Section 4.2 COMMISSION MEMBERSHIP. The Commission created by this Agreement under Sec.66.0615, Wis. Stats., shall consist of the following members:

- (a) Three (3) members from each municipality in which annual tax collections exceed \$1 million.
- (b) Two (2) members from each municipality in which annual tax collections exceed \$300,000.
- (c) One (1) member from each municipality in which annual tax collections are \$300,000 or less.
- (9) Two additional members (at large members), who represent the Wisconsin hotel and motel industry, shall be appointed to the Commission by a majority vote of members of the Commission, or a duly authorized nominating committee, and these individuals shall serve for a one-year term at the pleasure of the Commission and may be reappointed. These members shall not be members of the Board of Directors or employees of the Tourism Entity.

Section 4.3 APPOINTMENT OF COMMISSION MEMBERS. Members of the Commission shall be appointed by the principal elected official in the Member Municipalities and shall be confirmed by a majority vote of the Member Municipality’s governing body who are present when the vote is taken. Commissioners shall serve a one-year term, at the pleasure of the appointing official and may be reappointed. Members of the Commission shall receive no compensation for service to the Commission, but may be compensated for actual expenses and mileage while attending meetings or on official

business for the Commission. This compensation may be in the form of prepayment, allowance or actual reimbursement of any expenses incurred. While membership on the Commission is provided for each municipality in the zone agreement, all membership positions need not be filled if a municipality does not see a need. A member community that does not appoint a representative shall not count towards the determination of a quorum. All municipalities will still receive their monthly, quarterly and annual reports from the Commission. If a member of the Commission resigns or is removed for cause, the municipal body that appointed the member may appoint another person to fulfill the unexpired term. If the subject member was appointed by the chairperson, they may appoint another person to fill the unexpired term.

Section 4.4 COMMISSION PROCEDURES AND BYLAWS. The Commission shall meet monthly; but, may also meet at the call of the chairperson or by petition of any three Commissioners. The Commission may, by a vote of the Commissioners, modify the monthly meeting requirement. The Commission may, by majority vote, establish and implement such procedures and protocols as it deems necessary for the effective and efficient administration of implementation, collection and enforcement of the Room Tax. The Commission may develop and adopt bylaws which are consistent with this Agreement and approved by a two-thirds (2/3) majority of the Municipalities.

Section 4.5 INSURANCE COVERAGE. The Commission shall also obtain and maintain the following insurance coverages;

- (a) Errors and omissions coverage in an amount to be determined and approved by the Commission to provide adequately protection;
- (b) Crime Coverage in an amount to be determined and approved by the Commission to provide adequately protection; and,
- (c) Any other insurance deemed necessary by the Commission in the conduct of its business.
- (d) Expenses and insurance shall be paid as administration expenses by the Commission. Any checks or payments issued by the Commission shall bear the signatures of two (2) officers of the Commission (chairperson, vice chairperson, secretary and/or treasurer).

Section 4.6 ANNUAL AUDIT. The Commission shall submit all financial records to a licensed accounting firm for an annual financial audit and a copy of that audit shall be provided to the Member Municipalities. The accounting firm shall be selected by a majority vote of the Commission. All meeting notices and minutes shall be sent to member municipalities.

Section 4.7 ANNUAL MEETING. An annual meeting of the Commission shall be held in June of each year, after the annual report has been received and before the new summer season begins to answer any questions, discuss any concerns and further explain

all goals and objectives. All Municipal Boards and permitted Lodging Properties and the Door County Visitor Bureau shall be notified and invited to attend this Annual Meeting.

Section 4.8 APPLICABILITY OF STATE OPEN MEETINGS LAW. The Commission shall be subject to the provisions of the Wisconsin Open Meetings and Open Records laws as amended.

Section 4.9 DELEGATION OF AUTHORITY. Authority is delegated to the Door County Tourism Zone Commission to act as agent of the Municipality in the enforcement of this ordinance as amended, for violation of the requirement of obtaining and maintaining a lodging permit when such lodging permit is required. The Door County Tourism Zone Commission shall have and may exercise the full authority which would otherwise be available to this municipality in the enforcement of this ordinance, including the ability to seek enforcement and penalties for failure to comply with the section requiring a lodging permit.

Section 4.10 ROOM TAX ADMINISTRATION REPORTS. The Commission shall submit the following Room Tax Administration Reports to Member Municipalities:

- (a) Monthly Report. A monthly report that lists all lodging properties in the municipality, the total amount of Room Tax they collectively paid and any properties that are delinquent. It should also include a payment to the municipality for thirty percent (30%) of the amount collected. This report and payment should be sent by the end of the month for collections received by the Commission in the previous month.
- (b) Annual Report. At least ten (10) days after the Tourism Zone's Annual Meeting, The Commission shall provide the Member Municipalities and Lodging Properties within the Tourism Zone an Annual Report that summarizes the financial activity of the Commission for the past year and shall include:
 - 1. The Commission's annual audit.
 - 2. All room taxes collected by the municipalities for each month of the year.
 - 3. All payments to the Tourism Entity and an end of year balance sheet.
 - 4. The annual report from the Tourism Entity which shall summarize the activity of the past year and show:

- i. The return on investment, i.e., what was gained from the room taxes invested, how well the goals and objectives established in the last annual report were achieved.
- ii. The Tourism Entity's goals and objectives for the coming year will be which goals and objectives should have been set after discussion and mutual agreement between the Tourism Entity and the Commission.

Section 4.11 COMMISSION OPERATIONAL FUNDING. The administrative and operating expenses of the Commission, shall be paid by the Member Municipalities based upon and subject to the following:

- (a) Commission Administrative and Operating Expenses. The Commission's administrative and operating expenses subject to contribution hereunder shall include, but are not limited to, the cost of: issuing permits; monitoring, enforcing and prosecuting the collection of Room Tax; reviewing the progress of the contracted Tourism Entity; approving the Tourism Entity's budget; approving the payment of monthly expenses; and, preparing monthly, quarterly and annual reports to the participating municipalities Member Municipalities, plus any and all tasks and costs necessary in the operation of the Commission.
- (b) Additional Commission Administrative Expenses. The Commission's administrative expenses shall also include, but not be limited to, reimbursement of Commissioners for actual expenses and mileage while attending meetings or on official business for the Commission, wages paid to staff, mileage paid to staff when necessary for work related travel, rental of office space, accounting fees for the annual audit and other Commission related accounting services, insurance costs for coverages approved by the Commission, office equipment, office supplies, postage, telephone, internet, utilities and any legal expenses, including litigation and any other expenses associated with the collection of unpaid Room Tax. The rate paid for the mileage reimbursement hereunder shall be the same as the standard Internal Revenue Service rate for business mileage adjusted periodically.
- (c) Calculation of Municipal Contribution. The contribution amount owed by each Member Municipality shall be determined by its percentage share of the room tax collected, as shown on the previous year's Tourism Zone Audit, multiplied by the adopted budget of the Commission. The amount determined hereunder shall be paid by each Member Municipality on or before February 1 of each year. In the event that a Member Municipality fails to pay its annual contribution when due, the Commission may withhold

that Member Municipality's Municipal room tax allocation payment until such contribution payment is made.

ARTICLE V
ROOM TAX ADMINISTRATION

Section 5.1 TRANSIENT LODGING PERMIT. Any person, partnership or corporation furnishing lodging in the Tourism Zone, shall, before commencing such business, file with the Tourism Zone Commission, an application and obtain a permit to operate each place of business subject to this Agreement. There shall be no cost for the filing of the application or the permit. Such a permit is not transferable or assignable upon transfer of business ownership. The application form shall include, at minimum, the following information:

- (a) The name of the business under which the person, partnership or corporation transacts business or intends to transact business, which name shall agree with that used for Sales Tax Permits and Property Tax Records.
- (b) The name of the agent for the business or other person designated as responsible to remit the Room Tax, and means to contact this person, including email address, postal address, telephone number, fax number and cell phone number.
- (c) The physical and mailing address of the business.
- (d) Number of rental units at the location for each month of the year during which the business is operating.
- (e) The driver's license number and or Federal Employer Identification Number of the owner of the lodging business.
- (f) The signature of the person designated in item b. above.
- (g) Operating months indicated on the permit application must match all advertised availability.
- (h) The Lodging Marketplace Provider online listing ID or ID's for all advertising in any form or format.

Section 5.3 PERMIT REVIEW AND ISSUANCE. The Commission may accept the application, review it for accuracy and issue the Lodging Permit. The Permit shall not be assignable. The Permit shall only be valid for the person named on the application as being

responsible to remit the Room Tax. In cases where that person should change or the ownership should change during the life of the permit, the application and issuance of a new permit shall be necessary.

Section 5.4 RECORDS RETENTION. As a condition of issuance of a Lodging Permit hereunder, the Commission shall require that the Lodging Provider retain all records related to short term lodging services hereunder for a period of not less than seven (7) years.

Section 5.5 LODGING PERMIT DEACTIVATION. The Commission shall allow a permitted Lodging Provider who ceases lodging operations may apply to the Commission for the de-activation of their Lodging Permit. De-activation of a Lodging Permit shall be subject to the following conditions:

- (a) All advertising in any form or format, including print and online, social media and web sites for the rental unit or units must be removed, discontinued and taken down.
- (b) The Lodging Provider must be current on all filings and tax payments.

Section 5.6 LODGING MARKETPLACE PROVIDERS TO BE LICENSED. Any Lodging Marketplace Provider that provides a platform through which a Lodging Provider offers to rent a short-term rental to an occupant and collects the consideration for the rental from the occupant shall obtain and maintain a Marketplace Provider Permit from the Commission.

Section 5.7 LODGING MARKETPLACE PROVIDER PERMIT APPLICATION. The Commission shall require that any Lodging Marketplace Provider providing a platform through which a Lodging Provider can offer short term rentals and lodging accommodations to transient guests in the Municipality apply to and file with the Commission, on forms provided by the Commission, an application to provide such services within the Municipality. There shall be no cost for the filing of the application for the Lodging Marketplace Provider Permit. The Commission shall require that the Lodging Marketplace Provider provide, at minimum, the following information:

- (a) The name and tradename of Lodging Marketplace Provider under which it transacts business or intends to transact business.
- (b) The physical and mailing address of the Lodging Marketplace Provider.
- (c) The Federal Employer Identification Number (FEIN) of the Lodging Marketplace Provider.
- (d) The email address for the primary contact person at the Lodging Marketplace Provider.

- (d) The contact name and physical and electronic contact information of and for the person at the Lodging Marketplace Provider who will be submitting the Lodging Marketplace Provider reporting.

Section 5.8 LODGING MARKETPLACE PROVIDER PERMIT REVIEW AND ISSUANCE. The Commission may accept the Lodging Marketplace Provider application, review it for accuracy and issue a Lodging Marketplace Provider Permit in the form determined by the Commission. The Lodging Marketplace Provider Permit shall not be assignable. The Lodging Marketplace Provider Permit shall only be valid for the Lodging Marketplace Provider identified on the application. In the event of an ownership or name change, Lodging Marketplace Provider shall apply for a new Lodging Marketplace Provider Permit.

Section 5.9 LODGING MARKETPLACE PROVIDER RECORDS RETENTION. As a condition of issuance of a Lodging Marketplace Provider Permit hereunder, the Commission shall require the Lodging Marketplace Provider to retain all records related to lodging marketplace provider services to Lodging Providers in the Tourism Zone for a period of not less than seven (7) years.

Section 5.10 LODGING MARKETPLACE PROVIDER PERMIT DEACTIVATION. The Commission shall allow a permitted Lodging Marketplace Provider who ceases operations within the Tourism Zone to apply to the Commission for the de-activation of their Lodging Marketplace Provider Permit. De-activation of a Lodging Permit is subject to the following conditions:

- (a) All lodging marketplace platform services in any form or format in the Tourism Zone must cease, be discontinued and otherwise terminated.
- (b) The Lodging Marketplace Provider must be current on all filings and tax payments.

Section 5.11 MONTHLY ROOM TAX REPORT. The Commission shall require that all Lodging Providers submit a Monthly Room Tax Return to the Commission, on paper or electronic forms supplied by the Commission, by the end of the month following the month in which the room tax reported by that Return. To allow the Commission to judge the accuracy of the Return, and, for the Commission, with all Returns in total, to judge the effectiveness of the tourism promotion, the Monthly Room Tax Report to be filed by the Lodging Providers shall contain at a minimum the following information:

- (a) Name of the business.
- (b) Physical address, postal address, municipality located within.

- (c) Name of the designated person filling out the return.
- (d) Month and year the Return is for.
- (e) The total available rental units during the month (number of rental units in the facility multiplied by the days in the month or days they were open).
- (f) The total marketplace sales, the amount of room tax paid by each Lodging Marketplace Provider.
- (g) The number of rooms or units rented, total lodging sales for the month.
- (h) The room tax to be paid, (which should equal total lodging sales multiplied by the 8.0% Room Tax).
- (i) The signature of the person filling out this return, attesting to the accuracy of the Return.

Section 5.12 AMENDED OR CORRECTED ROOM TAX REPORT. The Commission shall allow a Lodging Provider to file an amended or corrected Monthly Room Tax Report within forty-eight (48) months of the original filing date. Such amended or corrected Monthly Room Tax Return shall be subject to any additional tax due plus associated interest, penalties and late fees as provided herein on such additional tax due, and be subject to an administrative fee of \$25.00.

ARTICLE VI TOURISM ENTITY

Section 6.1 CONTRACTED SERVICES. Pursuant to Sec. 66.0615(1m)(b) 4, Wis. Stats., the Commission shall, contract with a Tourism Entity to obtain staff, support services and assistance in developing and implementing programs to promote the Tourism Zone to visitors and spend room taxes revenues on tourism promotion and development within the Tourism Zone. The Tourism Entity shall not use any of the room tax revenue to construct or develop a lodging facility.

Section 6.2 TOURISM REVENUE AND EXPENDITURE TRACKING. The Commission shall require that the Tourism Entity track the use of Room Tax revenues and expenditures and state its impact on generating paid overnight stays in the Member Municipalities.

Section 6.3 ANNUAL REPORT. The Commission shall require that the Tourism Entity provide the Commission with a written report as determined by the Commission, no

less than annually, and such report shall be available to the municipality and public upon request.

Section 6.4 RECORD INSPECTION. The Commission shall require that the Tourism Entity permit and allow inspections of its records pertaining to the use of the room tax funds upon request of the Commission at reasonable times.

Section 6.5 RECORDS RETENTION. the Commission shall require that the Tourism Entity retain all records related to short term lodging services hereunder for a period of not less than seven (7) years.

ARTICLE VII

DISTRIBUTION OF ROOM TAXES COLLECTED

Section 7.1 Allocation of Room Tax Collected. Upon receipt of the room taxes that are collected from Lodging Providers and Lodging Marketplace Providers providing transient lodging within the Member Municipalities, the Commission shall, pursuant to Section 66.0615(1m)(d), Wis. Stats.:

- (a) Tourism Zone Tourism Promotion. Allocate and distribute seventy (70%) percent of the amount collected to be spent on tourism promotion and tourism development within the Tourism Zone in the following manner:
 - (1) Forward an amount previously budgeted to be allocated to the Tourism Entity to the Tourism Entity.
 - (2). Deposit the excess amount of the amount budget for the Tourism Entity to the Tourism Reserve Fund to be used and allocated by the Commission for tourism promotion and tourism development within the Tourism Zone to help promote local or special tourism promotion and tourism development within the Tourism Zone through the Tourism Entity. The tourism entity may from time-to-time present special non-budgeted promotions that may require the use of the reserve funds. The expenditure of funds from the Reserve Funds account, for any reason, shall require an approval by a two-thirds (2/3rds) vote by the full Commission membership present at a meeting, properly noticed and at which a quorum is present.
- (b) Municipal Allocation. The Commission shall distribute thirty (30%) percent of the room taxes to the Member Municipalities for such uses and purposes as the governing body of each such Member Municipality shall so determine.

Section 7.2 DISTRIBUTION OF ROOM TAXES COLLECTED. Room Taxes collected by the Commission shall be distributed to the Tourism Entity and the Municipalities as made and provided in Section 7.1 within thirty (30) days of their receipt by the Commission.

ARTICLE VIII COMPLIANCE AND ENFORCEMENT

Section 8.1 FAILURE TO TIMELY FILE MONTHLY ROOM TAX REPORT. The Commission shall require that a Lodging Provider file a Monthly Room Tax Report by the end of the month following the month in which the room tax reported by that Return is reported unless otherwise provided by state regulation. Any Monthly Room Tax Report filed after that date shall be subject to a Late Filing Fee of \$25.00, in addition to other penalties, fees and interest as may be applicable hereunder.

Section 8.2 FAILURE TO TIMELY PAY ROOM TAX. The tax imposed pursuant to the Member Municipalities Room Tax Ordinances shall become delinquent if not paid by Lodging Provider by the due date of the Monthly Room Tax Return as provided in Section 8.1 hereof. A forfeiture of twenty-five percent (25%) of the room tax due or five thousand dollars (\$5,000.00) whichever is less, of the tax imposed, but not less than \$25.00, shall be established and enforced by the Commission. In addition to this forfeiture, all unpaid taxes under this ordinance shall bear interest at the rate of twelve percent (12%) per annum from the due date of the Return until the payment is received and deposited by the Commission.

Section 8.2 INSPECTION AND AUDIT. Pursuant to Sec. 66.0615(2)(a), Wis. Stats., whenever the Commission has probable cause to believe that the correct amount of room tax has not been assessed or that the tax return is not correct, or that the tax has not been paid, the Commission is authorized to examine and inspect the books, records, memoranda and property of any person who is subject to a local Room Tax Ordinance in order to verify the tax liability of that person or another person. Any Lodging Provider who fails to comply with a request from the Commission for such inspection or audit shall be subject to a penalty of five (5%) of the room tax thereafter determined to be due.

Section 8.3 ROOM TAX ESTIMATE. Pursuant to Sec. 66.0615(2)(c), Wis. Stats., whenever a Lodging Provider fails, neglects or otherwise refuses to file a Monthly Room Tax Return within the time, manner or form required by the Commission, the Commission may, using its best judgment, estimate the room tax due. The room tax estimated hereunder shall be subject to a penalty of twenty (20%) percent of the estimated tax due, plus all associated interest, penalties and late fees as provided hereunder. No refund or modification of the tax determined to be due and owing shall be made until the Lodging Provider files a correct room tax return and permits the Commission to inspect and audit the Lodging Provider's financial records to verify compliance.

Section 8.4 FALSE OR FRAUDULENT RETURN. The Commission shall impose upon any Lodging Provider who files a false or fraudulent return with the intent to defeat, delay or evade the tax imposed by this ordinance, a penalty of fifty (50%) percent of the tax determined to be due or twenty-five (25%) percent of the room tax due from the previous year or \$5,000.00, whichever is less, plus interest and other penalties as provided under Sec. 66.0615(2), Wis. Stats.

Section 8.5 SEPARATE VIOLATIONS. In the administration of the Room Tax, the Commission shall treat each room or unit separately rented or offered for rent, and each day of such rental or offer for rental of such unit shall be a separate violation for enforcement purposes hereunder. In addition, the Commission may pursue injunctive relief to discontinue repeated violations of the local Room Tax Ordinances.

Section 8.6 PROSECUTIONS. The Commission shall be responsible for compliance enforcement proceedings against any non-compliant Lodging Provider or Lodging Marketplace Provider. Pursuant to the local Room Tax Ordinances, any Lodging Provider or Lodging Marketplace Provider determined to have violated any of the provisions of this ordinance shall be obligated to pay the costs of enforcement and prosecution, in addition to actual attorney's fees and audit expenses, expended in the course of the enforcement and prosecution of such Ordinances.

Section 8.7 COORDINATION WITH DEPARTMENT OF REVENUE. The Commission, through its attorney, may coordinate enforcement efforts with the Department of Revenue for the collection of all delinquent Room Tax and may contract with a collection agency. The Commission shall be responsible for prosecuting fraudulent returns and collecting delinquent tax, penalties and interest. All amounts recovered, whether in the form of tax, penalties, or interest shall be subject to the provisions of Article VII.

ARTICLE IX MISCELLANEOUS PROVISIONS

Section 9.1 GOVERNING LAW AND VENUE. This Agreement and the rights of the Parties hereunder shall be interpreted and enforced in accordance with the laws of the State of Wisconsin. All actions involving breach of this Agreement shall be venued in Door County, Wisconsin.

Section 9.2 SEVERABILITY. In the event that any provision of this Agreement, or any part thereof, is held by a court of competent jurisdiction to be invalid, ineffective or unenforceable, and in the reasonable opinion of any Member Municipality such event invalidates the purpose or intent of this Agreement, then the balance of this Agreement shall survive only to the extent that the Parties agree, in writing, to a mutually-satisfactory amendment by which they are able to satisfy the intent of this Agreement by alternative

means. If, under such circumstances and after good faith negotiations, the Parties are unable to reach such a mutually-acceptable written amendment to satisfy the intent of the Agreement, then this Agreement shall be null and void and of no further legal effect.

Section 9.3 INTERPRETATION. This Agreement shall be interpreted as though jointly drafted by the Parties.

Section 9.4 HEADINGS. The headings, titles or captions contained in this Agreement have been inserted only as a matter of convenience and for reference, and such captions in no way define, limit, extend or describe the scope of this Agreement or the intent of any provision hereof.

Section 9.5 NO THIRD-PARTY BENEFICIARIES. This Agreement does not create any third-party benefits to any person or entity other than the Member Municipalities and the Commission and is solely for the consideration herein expressed.

Section 9.6 FURTHER ACTION. Each of the Member Municipality agrees from time to time to execute and deliver such further instruments, and to take such further action not inconsistent with the provision of this Agreement, as may reasonably be necessary in order to fully perform and carry out the terms and intent of the Agreement.

Section 9.7 AMENDMENTS. This Agreement may not be modified or amended except by a written instrument executed by the Parties hereto. Amendments to this Agreement shall require a minimum of two-thirds (2/3rds) approval by the Member Municipalities.

Section 9.8 EXECUTION IN COUNTERPARTS. This Agreement may be executed in counterparts, each of which shall be considered an original instrument, but all of which shall be considered one and the same Agreement.

Section 9.10 ENTIRE AGREEMENT. This Agreement, including the Attachments hereto, contains the entire agreement between the Parties with respect to the transactions contemplated by this Agreement and matters related thereto, and does hereby supersede and render null and void and of no further force or effect any and all prior agreements, drafts of agreements and understandings between the Parties.

IN WITNESS WHEREOF, the Member Municipalities have by their duly authorized officers and representatives set their hands and affixed their seals on the date set forth below.

Dated: _____

CITY OF STURGEON BAY

By: _____
David J. Ward, Mayor

Attest:

By: _____
Stephanie Reinhardt, City Clerk

CLERK'S CERTIFICATION

I, Stephanie Reinhardt, City Clerk of the CITY OF STURGEON BAY, WISCONSIN do hereby certify and affirm that the forgoing THIRD AMENDMENT TO INTERGOVERNMENTAL ROOM TAX AGREEMENT was duly and properly approved by Resolution of the Village Board approved and adopted at a meeting of the City Council held on _____ duly called and held upon due notice thereof as posted and published in the manner made and provided by law; and, that the said Resolution has not been amended or revised since the approval thereof.

IN WITNESS WHEREOF I have hereto set my hand and seal as of this ____ of _____, 2021.

CITY OF STURGEON BAY

By: _____
Stephanie Reinhardt, City Clerk