



**CITY OF STURGEON BAY COMMON COUNCIL AGENDA  
TUESDAY, NOVEMBER 1, 2022  
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. Consideration of the following bills: General Fund – \$96,626.13, Capital Fund - \$158,377.43, Cable TV - \$5,361.25, TID #2 - \$1,610.77, TID #4 - \$5,146.54, and Solid Waste Enterprise Fund - \$3,552.18, for a grand total of \$270,674.30. [roll call]
7. **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 10/10/22 special and 10/18/22 regular Common Council minutes.
  - \* b. Place the following minutes on file:
    - (1) Sturgeon Bay Utility Commission – 8/9/22
    - (2) Zoning Board of Appeals – 9/27/22
    - (3) Zoning Board of Appeals – 10/11/22
    - (4) Finance/Purchasing & Building Committee – 10/11/22
    - (5) Personnel Committee – 10/20/22
  - \* c. Consideration of: Approval of Beverage Operator's licenses.
  - \* d. Consideration of: Approval of Class B Beer and Class C Wine licenses for Three Gals One Guy LLC.
8. Mayoral Appointments.
9. Finance/Purchasing & Building Committee recommendation re: Approve the ATC damages distribution award, directly \$162,250 to WPP Development and \$69,700 to the City for incurred losses.

10. City Plan Commission recommendation re: Approve annexation petition from Mark & Cindy Kerscher for parcels #020-0113272522 (A-C) located on State Highway 42/57 in the Town of Nasewaupee.
11. Finance/Purchasing & Building Committee recommendation re: Approve the annexation petition with Mark & Cindy Kerscher for parcel number 020-0113272522A-C.
12. City Plan Commission recommendation re: Apply General Commercial (C-1) as the temporary zoning classification for parcels #020-0113272522 (A-C) located on State Highway 42/57 in the Town of Nasewaupee owned by Mark & Cindy Kerscher.
13. First reading of ordinance re: Annexing property to the City of Sturgeon Bay known as Kerscher property on STH 42/57 and apply Temporary Zoning. [2/3 vote = 5 votes required]
14. City Plan Commission recommendation re: Rezone the Agricultural (A) portion of parcel 281-70-32001410C, located at 1361 N. 14<sup>th</sup> Ave and currently owned by Estes Investments, LLP to Multiple-Family Residential (R-4), subject to conditions being resolved no later than time of second reading of ordinance.
15. First reading of ordinance to rezone a portion of parcel #281-70-32001410C located at 1361 N. 14<sup>th</sup> Ave. from Agricultural (A) to Multiple-Family Residential (R-4).
16. City Administrator report.
17. Mayor's report.
18. Convene in closed session in accordance with the following exemption:  
  
Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Wis. Stats. 19.85(1)(e)
  - a. Consideration of: Labor Agreement between City of Sturgeon Bay and Sturgeon Bay Firefighters Association Local 2682.
  - b. Consideration of: Right of way acquisition of real estate connecting Grant Avenue and Sawyer Drive.  
Move to reconvene in open session to take formal action upon preceding subject of closed session, if appropriate; or to conduct discussion or give further consideration where the subject is not appropriate for closed session consideration. The Committee may adjourn in closed session.
19. Adjourn.

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.

Posted:

Date:

Time:

By:

10.28.22  
12:00 pm  
JM

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.

INVOICES DUE ON/BEFORE 11/01/2022

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
GENERAL FUND				
GENERAL FUND				
LIABILITIES				
19880	STURGEON BAY UTILITIES	2021.2022 EXTRA INTEREST	01-000-000-24340	20.79
19880		2021.2022 DEL EXTRA CHRGS	01-000-000-24340	259.78
USBANK	US BANK	DOCK PASS	01-000-000-46200	6.63
USBANK		DOCK PASS SALES TAX	01-000-000-24214	0.33
USBANK		DOCK PASS SALES TAX	01-000-000-24215	0.04
TOTAL LIABILITIES				287.57
2020 CAPITAL PROJ & EQUIPMENT				
01761	ASSOCIATED TRUST COMPANY	GO PROM NOTE 9.22.20	01-000-907-70002	262.74
TOTAL 2020 CAPITAL PROJ & EQUIPMENT				262.74
2021 CAPITAL PROJ & EQUIPMENT				
01761	ASSOCIATED TRUST COMPANY	GO PROM NOTE 9.7.21	01-000-908-70002	131.63
TOTAL 2021 CAPITAL PROJ & EQUIPMENT				131.63
EGG HARBOR RD IMP/DES				
01761	ASSOCIATED TRUST COMPANY	GO PROM NOTE 9.22.15	01-000-976-70002	224.40
TOTAL EGG HARBOR RD IMP/DES				224.40
TOTAL GENERAL FUND				906.34
LAW/LEGAL				
16555	PINKERT LAW FIRM, LLP	09/22 TRAFFIC MATTERS	01-110-000-55010	3,510.00
16555		09/22 VIOLATION PROP-HERBST	01-110-000-55010	180.00
BUELOW	BUELOW, VETTER, BUIKEMA,	09/22 GENERAL LABOR MATTERS	01-110-000-57900	1,235.00
TOTAL				4,925.00
TOTAL LAW/LEGAL				4,925.00
CITY CLERK-TREASURER				
04650	DOOR COUNTY REGISTER OF DEEDS	COPIES	01-115-000-56350	4.50
17700	QUILL CORPORATION	COLOR PAPER	01-115-000-52800	47.16
17700		COLOR PAPER	01-115-000-52800	94.32
17700		TONER/PHONE CORD/FOLDERS	01-115-000-51950	143.03
USBANK	US BANK	LODGING/CLARIZIO	01-115-000-55600	200.00
TOTAL				489.01
TOTAL CITY CLERK-TREASURER				489.01
ADMINISTRATION				
USBANK	US BANK	DISH BRUSH/GOLD SEALS	01-120-000-51950	40.25
USBANK		KLEENEX	01-120-000-51950	16.45
USBANK		RED RIBBON	01-120-000-51950	0.99
USBANK		SPONGES/GIFT BAGS/TISSUE PAPER	01-120-000-51950	15.83

INVOICES DUE ON/BEFORE 11/01/2022

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
GENERAL FUND				
USBANK		NFPA MEMBERSHIP	01-120-000-56000	175.00
USBANK		NOTE CARDS	01-120-000-51950	16.79
		TOTAL		265.31
		TOTAL ADMINISTRATION		265.31
COMPUTER				
USBANK	US BANK	ZOOM	01-125-000-55550	63.99
		TOTAL		63.99
		TOTAL COMPUTER		63.99
BUILDING/ZONING CODE ENFORCEMT				
DCI	DOOR COUNTY INSPECTIONS, LLC	09/22 PERMITS	01-140-000-55010	18,509.56
		TOTAL		18,509.56
		TOTAL BUILDING/ZONING CODE ENFORCEMT		18,509.56
MUNICIPAL SERVICES ADMIN.				
USBANK	US BANK	ESRI-ARC GIS ANNL MAINTENANCE	01-145-000-55550	400.00
USBANK		CHAD CELL SVC	01-145-000-58250	68.08
		TOTAL		468.08
		TOTAL MUNICIPAL SERVICES ADMIN.		468.08
PUBLIC WORKS ADMINISTRATION				
USBANK	US BANK	STEVE CELL SVC	01-150-000-58250	39.25
USBANK		MIKE CELLSVC	01-150-000-58250	19.62
		TOTAL		58.87
		TOTAL PUBLIC WORKS ADMINISTRATION		58.87
CITY HALL				
04575	DOOR COUNTY HARDWARE	DROPCLOTH/BRUSHES	01-160-000-51850	9.77
04575		SNAP BOLTS	01-160-000-51400	9.98
BLISS	LIFESTYLES BY BLISS, INC	10/22-12/22 PUBLIC RESTROOM	01-160-000-58999	2,250.00
USBANK	US BANK	ELEVATOR CERTIFICATE	01-160-000-58999	102.00
USBANK		BRUSHROLL	01-160-000-55300	37.36
USBANK		HEPA FILTER	01-160-000-55300	21.60
VIKING	VIKING ELECTRIC SUPPLY, INC	EMER EXIT LIGHTS	01-160-000-55300	158.22
VIKING		LED LIGHTS	01-160-000-55300	202.56



INVOICES DUE ON/BEFORE 11/01/2022

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
GENERAL FUND				
WARNER	WARNER-WEXEL LLC	MOPS	01-160-000-51850	19.28
WARNER		PAPER TOWELS	01-160-000-51850	34.46
WARNER		LEMON DISINFECTANT	01-160-000-51850	71.00
TOTAL				2,916.23
TOTAL CITY HALL				2,916.23
GENERAL EXPENDITURES				
04696	DOOR COUNTY TREASURER	COPIES	01-199-000-58900	36.00
US BANK	US BANK EQUIPMENT FINANCE	10/22 FIRE COPY OVERAGES	01-199-000-55650	14.70
US BANK		10/22 FIRE COPIER	01-199-000-55650	102.25
US BANK		10/22 ADMIN COPIER	01-199-000-55650	116.00
US BANK		10/22 ADMIN COPY OVERAGES	01-199-000-55650	29.61
TOTAL				298.56
TOTAL GENERAL EXPENDITURES				298.56
POLICE DEPARTMENT				
US BANK	US BANK EQUIPMENT FINANCE	10/22 POLICE COPIER	01-200-000-55650	213.59
US BANK		10/22 POLICE COPY OVERAGES	01-200-000-55650	24.69
USBANK	US BANK	SHREDDER OIL	01-200-000-51950	39.87
USBANK		OFFICE RADIO	01-200-000-51950	14.98
USBANK		TRAINING MEALS/HOUGAARD	01-200-000-55600	15.72
USBANK		TRAINING MEALS/HOUGAARD	01-200-000-55600	10.96
USBANK		BUSINESS CARDS/SNOVER	01-200-000-51600	32.69
USBANK		USB ADAPTER/FORENSICS LAB	01-200-000-55500	48.52
USBANK		POWER CHARGING CORDS	01-200-000-55500	35.87
USBANK		USB ADAPTER CHARGER	01-200-000-55500	10.54
TOTAL				447.43
TOTAL POLICE DEPARTMENT				447.43
POLICE DEPARTMENT/PATROL				
04696	DOOR COUNTY TREASURER	09/22 FUEL CHARGES	01-215-000-51650	4,592.96
23640	WISCONSIN DEPT OF JUSTICE	3 TIME ACCESS CHARGES	01-215-000-58999	180.00
23640		22 OFFICER SUPPORT CHARGES	01-215-000-58999	280.50
DEIBELE	LUKE DEIBELE	TRAINING MEAL EXPENSES/DEIBELE	01-215-000-55600	130.50
GANDER	LOUIS GANDER	TRAINING MEAL EXPNSE/GANDER	01-215-000-55600	106.76
NELSON	NELSON TACTICAL	UNIFORM/BILODEAU	01-215-000-52900	46.00
NELSON		UNIFORM ITEMS/JENNERJOHN	01-215-000-52900	195.00
NELSON		UNIFORM PANTS/ZACH	01-215-000-52900	195.00
NELSON		UNIFORM POUCH/ENGBOSE	01-215-000-52900	59.60
NELSON		UNIFORM PANT/HOUGAARD	01-215-000-52900	71.99
R0001761	LOIS KURSCHNER	PFC TRAINING REIMBURSE/KURSCHR	01-215-000-55600	165.00
USBANK	US BANK	FUEL	01-215-000-51650	31.38
USBANK		FUEL	01-215-000-51650	72.55
USBANK		TIE OFF STRAPS/DIVE TRAILER	01-215-000-54999	50.59

INVOICES DUE ON/BEFORE 11/01/2022

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
GENERAL FUND				
USBANK		FUEL	01-215-000-51650	44.56
USBANK		FUEL	01-215-000-51650	54.31
USBANK		FUEL	01-215-000-51650	32.38
USBANK		FUEL	01-215-000-51650	81.22
USBANK		FUEL	01-215-000-51650	47.01
USBANK		LODGING/GANDER	01-215-000-55600	336.60
USBANK		FUEL	01-215-000-51650	59.02
USBANK		FUEL	01-215-000-51650	64.25
USBANK		TRAINING/JENNERJOHN	01-215-000-55600	289.00
USBANK		LODGING/HAJNY	01-215-000-55600	108.90
TOTAL				7,295.08
TOTAL POLICE DEPARTMENT/PATROL				7,295.08
POLICE DEPT. / INVESTIGATIONS				
USBANK	US BANK	BIO FOAM	01-225-000-51500	13.50
USBANK		STONE CASTING KIT	01-225-000-51500	35.00
USBANK		EVIDENCE PROCESSING SHIPPING	01-225-000-51500	26.08
TOTAL				74.58
TOTAL POLICE DEPT. / INVESTIGATIONS				74.58
FIRE DEPARTMENT				
FIRE DEPARTMENT				
02005	BAY ELECTRONICS, INC.	RADIO/BATTERIES/ANTENNAS	01-250-000-57550	259.00
04575	DOOR COUNTY HARDWARE	ELECTRICAL MATERIALS	01-250-000-54999	55.05
04575		VENT/FASTENERS	01-250-000-54999	14.77
04575		DRILL BITS/BLADE/SCREWDRIVERS	01-250-000-54999	40.97
04575		LITHIUM BATTERY	01-250-000-54999	9.59
04575		CABLE TIES	01-250-000-54999	19.98
04575		LUBE LOCK EASE	01-250-000-54999	7.99
04575		FASTENERS	01-250-000-54999	1.29
04575		OUTLET/BAKING SODA CLEANER	01-250-000-54999	5.57
04575		LED BULB	01-250-000-54999	9.99
04575		BATTERY	01-250-000-54999	5.99
04696	DOOR COUNTY TREASURER	09/22 FUEL	01-250-000-51650	2,920.24
17250	QUALITY STATE OIL CO., INC.	OIL	01-250-000-53000	309.30
ALLIED10	ALLIED 100,LLC	DEFIB PADS	01-250-000-52350	62.62
AMERWELD	AMERICAN WELDING & GAS, INC	WELDING GAS	01-250-000-54999	40.67
EXHAUST	EXHAUST PROS	T712 REPAIRS	01-250-000-53000	1,642.02
JX ENT	JX ENTERPRISES, INC.	E707 STARTER	01-250-000-53000	528.89
O'REILLY	O'REILLY AUTO PARTS-FIRST CALL	DEF/DUSTER	01-250-000-53000	77.95
O'REILLY		ANTIFREEZE	01-250-000-53000	113.94
O'REILLY		OIL	01-250-000-53000	69.48
O'REILLY		SCRUB MITT	01-250-000-53000	3.79
O'REILLY		MINI BULB	01-250-000-53000	6.60
O'REILLY		BATTERY	01-250-000-53000	272.90
O'REILLY		OIL	01-250-000-53000	138.96
O'REILLY		OIL FILTER	01-250-000-53000	10.58
PORT	WEST MARINE PRODUCTS INC	BATTERY STUDS/UTV	01-250-000-53000	17.56
USBANK	US BANK	UNIFORM PANTS	01-250-000-52900	194.91

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VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
GENERAL FUND				
FIRE DEPARTMENT				
FIRE DEPARTMENT				
USBANK		PUB ED MATERIALS	01-250-000-52250	121.95
USBANK		EBOOK	01-250-000-56000	73.53
USBANK		VALVE SEAT E707	01-250-000-56250	176.71
USBANK		FLIGHT-COMMAND SCHOOL	01-250-000-55600	897.20
USBANK		UNIFORM SHOES	01-250-000-52900	103.43
USBANK		RADIO & BATTERY	01-250-000-57550	859.75
USBANK		CPS SERTIFICATION	01-250-000-56000	55.00
TOTAL FIRE DEPARTMENT				9,128.17
TOTAL FIRE DEPARTMENT				9,128.17
LARGE ITEM PICKUP / LEAF COLL				
USBANK	US BANK	TARPS	01-311-000-56250	113.98
TOTAL				113.98
TOTAL LARGE ITEM PICKUP / LEAF COLL				113.98
STREET SWEEPING				
19880	STURGEON BAY UTILITIES	09/22 SWEEPER WATER USAGE	01-330-000-53050	8.53
19880		08/22 SWEEPER USAGE	01-330-000-53050	7.56
25700	ZARNOTH BRUSH WORKS INC	BROOM REFILL	01-330-000-51400	598.00
25700		GUTTER BROOMS	01-330-000-51400	682.00
25700		DIRT SHOE RUNNER	01-330-000-51400	95.40
25700		DIRT SHOE REAR	01-330-000-51400	134.80
TOTAL				1,526.29
TOTAL STREET SWEEPING				1,526.29
ROADWAYS/STREETS				
04575	DOOR COUNTY HARDWARE	SHOVELS	01-400-000-51400	55.96
12100	LAMPERT YARDS INC	STUMP GRINDER NETTING	01-400-000-51400	34.47
14826	NORTHEAST ASPHALT, INC.	HOT ASPHALT	01-400-000-52200	816.80
TOTAL				907.23
TOTAL ROADWAYS/STREETS				907.23
SNOW REMOVAL				
SNOW REMOVAL				
13825	MORTON SALT	42.73 T ROAD SALT	01-410-000-52400	3,564.11
TOTAL SNOW REMOVAL				3,564.11
TOTAL SNOW REMOVAL				3,564.11

INVOICES DUE ON/BEFORE 11/01/2022

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
GENERAL FUND				
CURB/GUTTER/SIDEWALK				
04575	DOOR COUNTY HARDWARE	STIHL SPO PART	01-440-000-54999	26.99
04575		DUPLEX NAILS	01-440-000-54999	17.18
10750	PREMIER CONCRETE INC	SIDEWALK CONTRETE	01-440-000-51200	514.00
10750		CONCRETE	01-440-000-51200	773.00
TOTAL				1,331.17
TOTAL CURB/GUTTER/SIDEWALK				1,331.17
STREET MACHINERY				
04545	DOOR COUNTY COOPERATIVE/NAPA	OIL FILTERS	01-450-000-53000	57.86
04575	DOOR COUNTY HARDWARE	RECIP BLADE	01-450-000-52700	28.99
04696	DOOR COUNTY TREASURER	09/22 FUEL 468.23 G	01-450-000-51650	1,610.24
04696		09/22 DSL FUEL 718.57G	01-450-000-51650	3,060.40
13655	MONROE TRUCK EQUIPMENT, INC	WARNING LIGHT	01-450-000-53000	208.08
ADVAUTO	GENERAL PARTS DISTRIBUTION LLC	HYDRAULIC/LUBE	01-450-000-53000	17.32
ADVAUTO		OIL	01-450-000-52150	125.11
ADVAUTO		AIR FILTER	01-450-000-53000	47.60
O'REILLY	O'REILLY AUTO PARTS-FIRST CALL	LIGHT	01-450-000-52700	29.98
RIESTER	RIESTERER & SCNELL INC.	FILTERS	01-450-000-53000	290.10
TOTAL				5,475.68
TOTAL STREET MACHINERY				5,475.68
CITY GARAGE				
USBANK	US BANK	BOILER CERTIFICATE	01-460-000-56250	102.00
TOTAL				102.00
TOTAL CITY GARAGE				102.00
PARK & RECREATION ADMIN				
USBANK	US BANK	MIKE CELL SVC	01-500-000-58250	19.63
USBANK		PARKS CELL SVC	01-500-000-58250	39.25
USBANK		WATERWEEDS CELL SVC	01-500-000-58250	39.25
USBANK		CLASS ENROLL ED2GO	01-500-000-55600	149.00
TOTAL				247.13
TOTAL PARK & RECREATION ADMIN				247.13
PARKS AND PLAYGROUNDS				
04545	DOOR COUNTY COOPERATIVE/NAPA	2 CYCLE PUMPER	01-510-000-52700	40.86
04575	DOOR COUNTY HARDWARE	DUCT TAPE/VALVE FLUSH/FASTENER	01-510-000-51850	32.36
04575		HARDWARE/GASKET/ELBOW	01-510-000-51850	9.26
04575		STOP VALVE	01-510-000-51850	16.99
04575		HOSE NOZZLE/BIBB	01-510-000-51850	31.98

INVOICES DUE ON/BEFORE 11/01/2022

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
GENERAL FUND				
04575		BRUSH DRIVEWAY 24"	01-510-000-51800	19.99
04575		PULLEYS	01-510-000-51800	13.58
04575		CLR TAPE	01-510-000-56250	13.99
04575		U-POST LT DUTY 3FT	01-510-000-58450	13.18
04696	DOOR COUNTY TREASURER	09/22 FUEL 523.46G	01-510-000-51650	1,800.18
04696		09/22 DSL FUEL 45.56 G	01-510-000-51650	194.04
08225	HERLACHE SMALL ENGINE	GAUGE	01-510-000-51900	4.50
08225		BLACK LINE	01-510-000-51900	18.99
08225		SPARK PLUG	01-510-000-51900	4.00
12100	LAMPERT YARDS INC	1 SHEET CDX	01-510-000-51800	34.47
JIM FORD	JIM OLSON FORD-LINCOLN, LLC	BATTERY F250	01-510-000-53000	137.95
LAUSCHER	PETE LAUSCHER	SAFETY ALLOWANCE/LAUSCHER	01-510-000-56800	31.64
MACCOUX	PHIL MACCOUX	SAFETY ALLOWANCE/MACCOUX	01-510-000-56800	83.31
USBANK	US BANK	REPAIR KIT	01-510-000-54999	99.78
USBANK		GOGGLES	01-510-000-52350	48.96
TOTAL				2,650.01
TOTAL PARKS AND PLAYGROUNDS				2,650.01
BALLFIELDS				
BALLFIELDS				
20900	TRUGREEN LIMITED PARTNERSHIP	FERTILIZE MEM FLD	01-520-000-58999	180.40
TOTAL BALLFIELDS				180.40
TOTAL BALLFIELDS				180.40
MUNICIPAL DOCKS				
USBANK	US BANK	CONTROLLER-PRESSURE WASHER	01-550-000-54999	190.00
TOTAL				190.00
TOTAL MUNICIPAL DOCKS				190.00
WATERFRONT PARKS & WALKWAYS				
04575	DOOR COUNTY HARDWARE	BY PASS PRUNER	01-570-000-54999	12.99
04575		CORDLESS SHRUB SHEARS	01-570-000-54999	129.99
TOTAL				142.98
TOTAL WATERFRONT PARKS & WALKWAYS				142.98
PUBLIC FACILITIES				
04696	DOOR COUNTY TREASURER	3RD QTR LIBRARY MAINT COSTS	01-700-000-56850	11,709.32
TOTAL				11,709.32
TOTAL PUBLIC FACILITIES				11,709.32

INVOICES DUE ON/BEFORE 11/01/2022

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
GENERAL FUND				
COMMUNITY & ECONOMIC DEVLPMT				
HEYRMAN	HEYRMAN & GREEN BAY BLUE	PUBLIC HEARING NOTICE SIGNS	01-900-000-54999	330.02
HEYRMAN		PHN SIGN FRAMES	01-900-000-54999	140.00
TOTAL				470.02
TOTAL COMMUNITY & ECONOMIC DEVLPMT				470.02
TOTAL GENERAL FUND				74,456.53
CAPITAL FUND				
GENERAL EXPENDITURES				
13133	MARTELL CONSTRUCTION INC	PROJ 2201A KS ENERGY PORTION	10-199-000-51525	24,683.47
TOTAL				24,683.47
TOTAL GENERAL EXPENDITURES				24,683.47
PATROL				
PATROL				
USBANK	US BANK	DIVE TRAILER ITEMS	10-215-000-59999	76.71
USBANK		DIVE TRAILER EQUIPMENT	10-215-000-59999	195.85
USBANK		DIVE TRAILER EQUIPMENT	10-215-000-59999	51.44
USBANK		DIVE TRAILER EQUIPMENT	10-215-000-59999	25.98
USBANK		DIVE TRAILER EQUIPMENT	10-215-000-59999	136.21
USBANK		DIVE TRAILER EQUIPMENT	10-215-000-59999	8.99
USBANK		DIVE TRAILER EQUIPMENT	10-215-000-59999	7.19
USBANK		DIVE TRAILER EQUIPMENT	10-215-000-59999	143.90
USBANK		DIVE TRAILER EQUIPMENT	10-215-000-59999	374.70
TOTAL PATROL				1,020.97
TOTAL PATROL				1,020.97
ROADWAYS/STREETS				
ROADWAYS/STREETS				
BOBCAT	BOB CAT PLUS	S77038 BOBCAT SKIDSTEER	10-400-000-59060	62,437.00
TOTAL ROADWAYS/STREETS				62,437.00
TOTAL ROADWAYS/STREETS				62,437.00
CURB/GUTTER/SIDEWALK				
EXPENSE				
13133	MARTELL CONSTRUCTION INC	PROJ 2201A PR# 3 FINAL-	10-440-000-59102	70,235.99
TOTAL EXPENSE				70,235.99
TOTAL CURB/GUTTER/SIDEWALK				70,235.99
TOTAL CAPITAL FUND				158,377.43



DATE: 10/25/1922  
TIME: 15:00:56  
ID: AP443ST0.WOW

CITY OF STURGEON BAY  
DEPARTMENT SUMMARY REPORT

PAGE: 9

INVOICES DUE ON/BEFORE 11/01/2022

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
CABLE TV				
CABLE TV / GENERAL				
CABLE TV / GENERAL				
MANN	MANN COMMUNICATIONS, LLC	11.01.22 CONTRACT	21-000-000-55015	5,361.25
TOTAL CABLE TV / GENERAL				5,361.25
TOTAL CABLE TV / GENERAL				5,361.25
TOTAL CABLE TV				5,361.25
TID #2 DISTRICT				
TID DISTRICT #2				
TID #2 A AREA BONDS - CITY				
01761	ASSOCIATED TRUST COMPANY	GO PROM NOTE 9.22.20	25-320-930-70002	1.27
01761		GO PROM NOTE 9.7.21	25-320-930-70002	1.19
TOTAL TID #2 A AREA BONDS - CITY				2.46
TID #2 A AREA BONDS - DVL				
01761	ASSOCIATED TRUST COMPANY	GO PROM NOTE 9.22.20	25-320-931-70002	16.13
01761		GO PROM NOTE 9.7.21	25-320-931-70002	15.04
TOTAL TID #2 A AREA BONDS - DVL				31.17
T2 ROAD PROJECTS				
01761	ASSOCIATED TRUST COMPANY	GO PROM NOTE 9.22.20	25-320-932-70002	28.23
01761		GO PROM NOTE 9.7.21	25-320-932-70002	26.32
TOTAL T2 ROAD PROJECTS				54.55
T2 SERIES 2006A				
01761	ASSOCIATED TRUST COMPANY	GO REFUNDING BONDS 9.7.16	25-320-933-70002	475.00
01761		GO REFUNDING BONDS 9.9.14	25-320-933-70002	475.00
01761		GO PROM NOTE 9.22.15	25-320-933-70002	250.60
01761		GO PROM NOTE 9.22.20	25-320-933-70002	166.63
01761		GO PROM NOTE 9.7.21	25-320-933-70002	155.36
TOTAL T2 SERIES 2006A				1,522.59
TOTAL TID DISTRICT #2				1,610.77
TOTAL TID #2 DISTRICT				1,610.77
TID #4 DISTRICT				
TID #4 DISTRICT				
TID #4 DISTRICT				
CEDARCO	CEDAR CORPORATION	WEST WTRFRNT FESTIVAL PROJCT	28-340-000-58999	5,050.00
TOTAL TID #4 DISTRICT				5,050.00
PROMISSORY NOTES				
01761	ASSOCIATED TRUST COMPANY	GO PROM NOTE 9.7.21	28-340-986-70002	96.54
TOTAL PROMISSORY NOTES				96.54
TOTAL TID #4 DISTRICT				5,146.54
TOTAL TID #4 DISTRICT				5,146.54

DATE: 10/25/1922  
TIME: 15:00:56  
ID: AP443ST0.WOW

CITY OF STURGEON BAY  
DEPARTMENT SUMMARY REPORT

INVOICES DUE ON/BEFORE 11/01/2022

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
SOLID WASTE ENTERPRISE				
SOLID WASTE ENTERPRISE FUND				
SOLID WASTE ENTERPRISE FUND				
04696	DOOR COUNTY TREASURER	09/22 DSL FUEL 683.36G	60-000-000-51650	2,910.42
06012	FASTENAL COMPANY	CABLE TIES	60-000-000-54999	23.00
JX ENT	JX ENTERPRISES, INC.	FUEL FILTERS	60-000-000-53000	95.98
POMPS	POMP'S TIRE SERVICE. INC	FRONT END ALIGNMENT	60-000-000-53000	328.00
USBANK	US BANK	WI DNR REFUSE HAULER PMT RENEW	60-000-000-58999	145.86
TOTAL SOLID WASTE ENTERPRISE FUND				3,503.26
REFUSE EQUIPMENT				
01761	ASSOCIATED TRUST COMPANY	GO PROM NOTE 9.7.21	60-000-918-70002	24.46
TOTAL REFUSE EQUIPMENT				24.46
REFUSE EQUIPMENT				
01761	ASSOCIATED TRUST COMPANY	GO PROM NOTE 9.7.21	60-000-919-70002	24.46
TOTAL REFUSE EQUIPMENT				24.46
TOTAL SOLID WASTE ENTERPRISE FUND				3,552.18
TOTAL SOLID WASTE ENTERPRISE				3,552.18
TOTAL ALL FUNDS				248,504.70

**MANUAL CHECKS**

SPECTRUM 10/17/22 Check # 90945 09/22 Cable Statement Charges 01-160-000-58999	\$181.92
SPECTRUM 10/18/22 Check # 90946 09/22 Cable Statement Charges 01-160-000-58999	\$146.94
SECURIAN FINANCIAL GROUP 10/18/22 Check # 90947 11/22 Life Insurance 01-600-000-50552	\$2,678.14
SUPERIOR VISION INSURANCE 10/18/2022 Check # 90948 11/22 Vision Insurance 01-000-000-21540	\$827.13
SOUTHERN DOOR SCHOOL DISTRICT 10/20/22 Check # 91008 04/22 thru 09/22 Mobile Home Tax Payment 01-000-000-41300	\$1,185.24
STURGEON BAY SCHOOL DISTRICT 10/20/22 Check # 91009 09/22 Mobile Home Tax Payment 01-000-000-41300	\$4,190.40
PENINSULA TITLE 10/25/22 Check # 91011 Land Acquisition Alabama Pl to 12 <sup>th</sup> Place 22-360-000-59080	\$10,554.50
EBC 10/25/22 Check #91012 10/22 FSA/PEB/COBRA 01-600-000-50510	\$181.00

SUN LIFE FINANCIAL	\$2,224.33
10/25/2022	
Check # 91013	
11/22 Short- & Long-Term Disability	
01-000-000-21545	

<b>TOTAL MANUAL CHECKS</b>	<b>\$22,169.60</b>
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DATE: 10/25/1922  
TIME: 15:00:56  
ID: AP443ST0.WOW

CITY OF STURGEON BAY  
DEPARTMENT SUMMARY REPORT

INVOICES DUE ON/BEFORE 11/01/2022

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
SUMMARY OF FUNDS:				
GENERAL FUND		74,436.53		96,626.13
CAPITAL FUND		158,377.43		
CABLE TV		5,361.25		
TID #2 DISTRICT		1,610.77		
TID #4 DISTRICT		5,146.54		
SOLID WASTE ENTERPRISE		3,552.18		
TOTAL --- ALL FUNDS		248,504.70		270,674.30

Helene Bacon October 25, 2022  
Jeth W... 10/25/22  
John W... 10/25/22

SPECIAL COMMON COUNCIL  
October 10, 2022

A special meeting of the Common Council was called to order at 4:03 pm by Mayor Ward. The Pledge of Allegiance was recited. Roll call: Bacon, Statz, Williams, Gustafson, Nault, Wiederanders and Reeths were present.

Williams/Gustafson to adopt agenda. Carried.

The City Administrator summarized the changes to the 2023 budget that were made at the Committee of the Whole meeting and presented the TIF Funds, Cable TV Fund, ARPA Fund, Compost Enterprise and Solid Waste Enterprise Funds to the Council. It was noted the General Transportation Aids came in higher at \$680,708 which was a \$35,683 increase more than the draft budget.

Williams/Wiederanders to approve 2023 budget as presented. Reeths/Statz to amend the motion to add \$35,683 (General Transportation Aid adjustment) to the Roadways budget for 2023. Vote taken on the amendment. Carried. Vote taken on the original motion as amended. Carried.

Reeths/Wiederanders to set the public hearing on the 2023 budget for October 31, 2022 at 4:00 p.m. Carried.

Bacon/Statz to adjourn. Carried. The meeting adjourned at 4:37 p.m.

Respectfully submitted,



Stephanie L. Reinhardt  
City Clerk/HR Director



COMMON COUNCIL  
October 18, 2022

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

Williams/Statz to adopt the agenda. Carried.

No one spoke during public comment.

Mayor Ward presented a proclamation to celebrate October 2022 as Manufacturing Month. Wiederanders/Gustafson to endorse. Carried.

Nicole Matson, James Dallman and Cari Alcombright presented a granary update to the Council.

Bacon/Wiederanders to approve following bills: General Fund – \$236,191.23, Capital Fund - \$68,250.87, Cable TV - \$466.39, TID #5 - \$43,200.00, Solid Waste Enterprise Fund - \$20,393.86, and Compost Site Enterprise Fund - \$555.61 for a grand total of \$369,057.96. Roll call: All voted aye. Carried.

Gustafson/Reeths to approve consent agenda:

- a. Approval of 10/4/22 regular Common Council minutes.
- b. Place the following minutes on file:
  - (1) Committee of the Whole – 9/26/22
  - (2) Finance/Purchasing & Building Committee – 9/27/22
  - (3) Committee of the Whole – 10/3/22
- c. Place the following reports on file:
  - (1) Fire Department Report – September 2022
  - (2) Police Department Report – September 2022
  - (3) Bank Reconciliation – September 2022
  - (4) Revenue & Expense Report – September 2022
- d. Consideration of: Approval of Beverage Operator's licenses.
- e. Consideration of: Approval of Street Closure Application for Thrills and Chills on Madison.
- f. Consideration of: Approval of Street Closure Application for Thrills and Chills on Third.

Carried.

**UTILITY COMMISSION**

Steve Christoferson

Williams/Nault to confirm. Carried.

Reeths/Statz to read in title only and adopt the second reading of ordinance re: Amend the Sturgeon Bay Comprehensive Plan. Carried.

Williams/Wiederanders to read in title only and adopt the second reading of ordinance re: Rezone parcel 281-62-10000116 located on the east end of Alabama Place. Carried.

Bacon/Nault to read in title only and adopt the second reading of ordinance re: Rezone parcel 281-46-65090102 located on the east side of W. Spruce Street and parcel 281-64-63000101 located at 60 Green Bay Road. Carried.

Community Development Director Olejniczak introduced the resolution for Fence Permit Fee. The City decided to regulate new fence construction. The adopting fees will cover cost of staff time to review the permit and map submitted. Reeths/Statz to adopt. Carried.

City Administrator VanLieshout gave his report.

Mayor Ward gave his report.

Wiederanders/Williams to adjourn. Carried. The meeting adjourned at 6:31 p.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Laurie A. Spittlemeister". The signature is written in a cursive, flowing style.

Laurie A. Spittlemeister  
Deputy Clerk/Treasurer

STURGEON BAY UTILITIES  
Regular Meeting  
August 9<sup>th</sup>, 2022

President Stewart Fett called the regular meeting of the Utilities Commission to order at 12:00 p.m. Roll call: President Stewart Fett, Mayor David Ward, Dina Boettcher, Dan Williams, and Steve Christoferson were present. Also present were General Manager Jim Stawicki, Electric Supervisor Jason Bieri, Water/Sewer Utility Manager Jeff Hoffman, and Recording Secretary Laurie Bauldry.

Ward/Williams to adopt the agenda (complete copy on file at the Utility office). Motion carried.

Christoferson/Boettcher to approve the minutes of the regular Commission meeting held on July 12<sup>th</sup>, 2022. Motion carried.

The Commission proceeded to review the bills for July in the amount of \$1,795,083.03. Fett/Williams to approve payment of the bills. Motion carried.

The June 2022 financial statements were then presented. Ward/Boettcher to accept the financials. Motion carried.

General Manager Stawicki reported on the current investments and their allocations. No formal action was taken.

Water/Sewer Utility Manager Hoffman then gave an update on the sanitary sewer acoustic inspections being performed.

The operations report was presented by Water/Sewer Utility Manager Jeff Hoffman and Electric Supervisor Jason Bieri. Fett/Ward to accept the operations report for July. Motion carried.

Council members updated the Commission members on City-related activities and developments.

The next item of business was the General Manager's report:

- a) Adjustments
- b) Focus on Energy report
- c) WPPI Annual Meeting

There was no public comment.

Williams/Ward to adjourn. Motion carried. The meeting adjourned at 12:45 p.m.

Approved for publication:

\_\_\_\_\_  
Stewart Fett  
President

Date: \_\_\_\_\_

\_\_\_\_\_  
James Stawicki  
General Manager

Date: \_\_\_\_\_

\_\_\_\_\_  
Gary Nault  
Secretary

Date: \_\_\_\_\_

**CITY OF STURGEON BAY  
Zoning Board of Appeals  
September 27, 2022**

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

**Roll call:** Members William Murrock, Nancy Schopf, Bill Chaudoir, Morgan Rusnak and Dave Augustson were present. Staff present was Planner/Zoning Administrator Christopher Sullivan-Robinson and Community Development Administrative Assistant Cindy Sommer.

**Adoption of agenda:** Moved by Ms. Schopf, seconded by Ms. Rusnak to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from August 23, 2022.
4. Public Hearing: Variance from Section 20.27(2) of the municipal code for (Seehafer) located on N. Hudson Avenue, parcel #281-64-61001301.
5. Consideration of: Variance from Section 20.27(2) of the municipal code for (Seehafer) located on N. Hudson Avenue, parcel #281-64-61001301.
6. Adjourn.

All ayes. Carried.

**Approval of minutes from August 23, 2022:** Moved by Mr. Augustson, seconded by Ms. Schopf to approve the minutes of August 23, 2022. All ayes. Motion carried.

**Public hearing: Variance from Section 20.27(2) of the municipal code for Brennan Seehafer located on N. Hudson Avenue, parcel #281-64-61001301:** Chairperson Murrock opened the public hearing at 12:02 p.m.

Mr. Sullivan-Robinson explained that this is an undeveloped lot that previously under the same ownership as the lot to the south. The lot is zoned R-2, which requires lots to be 7,500 square feet, however the house to the south encroaches on this lot. The petitioner had a Certified Survey Map prepared to shift the property line to eliminate the encroachment, however it reduces the lot area to 6,510 square feet. Staff supports the lot change and notes that approval of the variance would eliminate the encroachment. Approximately 70% of the properties along this area of the waterfront have non-conforming lot sizes.

Mr. Chaudoir questioned how the encroachment happened. Mr. Sullivan-Robinson explained there is no clear record of when or why this encroachment occurred but it's probable that the property owner owned both lots at the time the house was built and likely never intended to sell the lots separately.

The applicants, Brennan Seehafer and Shilah Seehafer of 822 S. 8<sup>th</sup> Street, Manitowoc, WI, presented the petition. Mr. Seehafer explained that he hasn't closed on the property yet and is waiting to see if the variance will be approved before purchasing. He explained that he has exhausted other options to increase the lot size, including purchasing a small portion of the lot to the north, which has not worked out. He explained that both adjacent property owners are in support of his proposal to build on this smaller lot. He is proposing a tall, narrow building that fits well on the lot consisting of two stories and a walk-out basement. No garage is planned and ample parking is available at the street level above the retaining wall, which he plans to improve about 4 parking spaces with concrete or blacktop. He is planning to put a catwalk from that parking lot to the main level of the house. There is an existing blacktop driveway that will stay in place and adds additional parking. He explained that about 6" of the driveway encroaches on the neighbor to the north, which was accidental when the blacktop was poured as the property line had been surveyed prior to the work being done. There will be no digging into the cliff edge and very little excavation is needed for the construction. The dock is in good condition with new concrete and the seawall is also in good condition.

No members of the public testified at the hearing. One letter of support from James & Polly Schaus, neighbors at 440 N. Hudson Avenue, was entered into the record.

The public hearing was declared closed at 12:21 p.m.

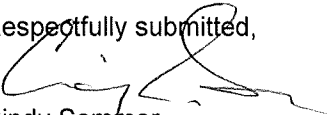
**Consideration of: Variance from Section 20.27(2) of the municipal code for Brennan Seehafer located on N. Hudson Avenue, parcel #281-64-61001301.**

Mr. Chaudoir indicated these variances have been requested and approved in the past on this street with their unique properties, noting that 70% of the properties do not conform to the required lot sizes. He believes that the house encroachment was self-inflicted by the property owner, who likely never intended to divide the lot and then later changed his mind.

Moved by Mr. Chaudoir to approve the variance from Section 20.27(2) of the municipal code for Brennan Seehafer located on N. Hudson Avenue as presented with the reasoning that this neighborhood has unique challenges because of the distance between the water and the road, as well as elevation changes, so it raises challenges to get conforming lots, thereby causing a hardship. Motion seconded by Ms. Rusnak, noting that the proposed building will not encroach on any setbacks if approved. The addition was also approved by the movant. Roll call vote, all ayes. Motion carried.

Moved by Mr. Augustson, seconded by Mr. Chaudoir to adjourn. All ayes. Motion carried. The meeting adjourned at 12:24 p.m.

Respectfully submitted,



Cindy Sommer  
Community Development  
Administrative Assistant.

**CITY OF STURGEON BAY  
Zoning Board of Appeals  
October 11, 2022**

The City of Sturgeon Bay Zoning Board of Appeals was called to order at 12:01 p.m. by William Chaudoir, Vice Chairperson, in Council Chambers, City Hall, 421 Michigan Street.

**Roll call:** Members William Chaudoir, Nancy Schopf, Dave Augustson and Ron Vandertie were present. Staff present were Community Development Director Marty Olejniczak and Community Development Administrative Assistant Cindy Sommer.

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

1. Roll call.
2. Adoption of agenda.
3. Public Hearing: Variance from Section 20.34(1) of the municipal code for Gregg and Karen Daanen located on Tacoma Beach Road, parcel #281-64-91000114.
4. Consideration of: Variance from Section 20.34(1) of the municipal code for Gregg and Karen Daanen located on Tacoma Beach Road, parcel #281-64-91000114.
5. Adjourn.

All ayes. Carried.

**Public hearing: Variance from Section 20.34(1) of the municipal code for Gregg and Karen Daanen located on Tacoma Beach Road, parcel #281-64-91000114:** Vice Chairperson Chaudoir opened the public hearing at 12:02 p.m.

Mr. Olejniczak reported that this is the first residential lot on Tacoma Beach Road east of Clay Banks Road. It is owned by Greg and Karen Daanen. The City has a special setback of 50 feet from the state highway, which provides a for nice view corridor along the highway and also preserves the space for the Department of Transportation to widen the highway at a later date if desired. A previous variance was granted for the same parcel in 2018 for a house. This request is to for a 28' x 40' detached garage located 10 feet from the highway right-of-way at its closest point. The proposed garage replaces an existing 24' x 40' detached garage, which is located on the highway right-of-way line.

The applicant, Gregory Daanen of 920 Tacoma Beach Road, explained that the existing garage impedes the approach to the house and when the variance for the house was granted in 2018, the Board recommended that this garage be replaced, which he is now proposing to do. The new garage will be in a similar location, but will comply with the 10' side yard that would be required if the property line wasn't the highway right-of-way. It will also help reduce highway noise, which benefits the neighbors as well. Mr. Daanen explained that the 50' highway setback would essentially cut his property in half, thereby restricting the ability to build a new detached garage. He is also planning to plant more trees to help reduce the highway noise. He indicated that rebuilding on the east side of the driveway would mean putting the detached garage in front of the home and reducing the view from the home. He would like to have the foundation poured before winter sets in and then construct the building in the spring of 2023. After the new garage is built, he will then demolish the existing garage. He plans to use the building for recreational vehicle storage.

No members of the public presented for the hearing and there were no letters regarding the variance request.

The public hearing was declared closed at 12:13 p.m.

**Consideration of: Variance from Section 20.34(1) of the municipal code for Gregg and Karen Daanen located on Tacoma Beach Road, parcel #281-64-91000114:**

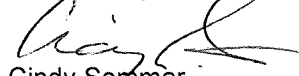


Mr. Augustson recalled that it was the recommendation of the Board in 2018 to replace this existing building. The proposed location makes sense for noise reduction as well as access. It's unlikely that the highway will ever be widened to four lanes over the bridge, and there would still be enough room to do so without adversely affecting this property. The highway view is not being hindered in any way, however putting the garage on the east side of the driveway would hinder the neighbors as well as the view from the house.

Motion by Mr. Vandertie to approve the variance request as presented with the reasoning that it will be an asset to the property, will reduced highway noise and it also is more conforming than the current building. Motion seconded by Ms. Schopf. Roll call vote, all ayes. Motion carried.

Moved by Ms. Schopf, seconded by Mr. Augustson to adjourn. All ayes. Motion carried. The meeting adjourned at 12:18 p.m.

Respectfully submitted,



Cindy Sommer  
Community Development  
Administrative Assistant.

**FINANCE/PURCHASING & BUILDING COMMITTEE**  
**October 11, 2022**

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: City Administrator Van Lieshout, City Treasurer/Finance Director Clarizio, Municipal Services Director Barker, 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: Surplus Property.
- 5. Review bills.
- 6. Adjourn.

The following spoke during public comment on agenda items and other issues related to finance & purchasing: Chris Kellems, 120 Alabama Street.

Consideration of: Surplus Property.  
The Committee briefly discussed the surplus property list presented by Municipal Services Director Barker.

<u>Item</u>	<u>General Condition</u>	<u>Yr. acquired</u>	<u>Original cost</u>
Ford L-8000	Fair	1993	\$53,378.00
SW Line Paint Machine	Fair	2011	\$12,898.00
Hustler	Poor, needs engine	2007	Unknown
#1 Toro	Fair	2017	\$12,949.00
#3 Toro	Fair	2017	\$12,949.00
Aquarius Systems Fast Transport	Fair/Unusable	2000	\$76,500.00
Inland Harvester	Fair/Unusable	1992	Unknown
Erskine Snow Blower	Fair	1997	\$3,737.00
Case Skidsteer	Fair	1999	\$43,000.00
Play Unit 20x30	Poor	1995	\$6,500.00

Moved by Alderperson Williams, seconded by Alderperson Wiederanders to declare the Ford F8000, SW Line Paint Machine, Hustler Mower, (2) Toro Mowers, Aquarius Fast Transport, Inland Harvester, Erskine Snow Blower, and Case Skidsteer, and Otumba Park Play Unit as surplus and allow the City Administrator to determine the best method of liquidation. Carried.

Consideration of: Additional Financial Support from WWP Development.  
City Administrator Van Lieshout stated that ATC mis located the under bay crossing outside of the agreed upon easement located on the West Waterfront. The mis location has impacted the City and the potential development on the site. The City met with the developer to determine the feasibility of the development project considering the reduction of buildable space, redesign expenses and financial loss that amount to \$162,250. The developer’s costs, the City’s incurred expenses and lost revenue of \$69,700 were factored into the financial settlement with ATC.

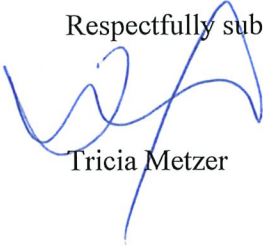
Moved by Alderperson Bacon, seconded by Alderperson Williams to recommend to Common Council to approve the ATC damages distribution award, directing \$162,250 to WWP Development and \$69,700 to the City for incurred losses. Carried.

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 4:17pm.

Respectfully submitted,

A handwritten signature in blue ink, appearing to be 'Tricia Metzger', written over the printed name.

Tricia Metzger

PERSONNEL COMMITTEE  
October 20, 2022

A meeting of the Personnel Committee was called to order by Chair Williams at 10:00 a.m. in the Council Chambers. Roll call: Members Williams, Gustafson and Statz were present.

Gustafson/Statz to adopt the following agenda:

1. Call to order.
2. Roll call.
3. Adoption of agenda.
4. Convene in closed session in accordance with the following exemption:  
Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Wis. Stats. 19.85(1)(e)

Consideration of: Collective bargaining.

Move to reconvene in open session to take formal action upon preceding subject of closed session, if appropriate; or to conduct discussion or give further consideration where the subject is not appropriate for closed session consideration. The Committee may adjourn in closed session.

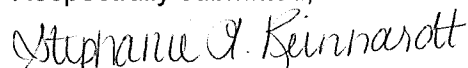
5. Adjourn.

Carried.

After the Chair announced the statutory basis, Statz/Gustafson to convene in closed session in accordance with the following exemption: Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Wis. Stats. 19.85(1)(e) Consideration of: Collective bargaining. Move to reconvene in open session to take formal action upon preceding subject of closed session, if appropriate; or to conduct discussion or give further consideration where the subject is not appropriate for closed session consideration. The Committee may adjourn in closed session. Carried.

The Committee adjourned in closed session at 10:42 a.m.

Respectfully submitted,



Stephanie L. Reinhardt  
City Clerk/HR Director

**BEVERAGE OPERATOR LICENSES**

1. Blackwell, Robin R.
2. Dietrich, Karissa M.
3. Free, Kraig E.
4. Gideon, Lisa L.
5. Huggett, Jody J.
6. Price, Addison M.
7. Vanderhoof, Megan E.



City of Sturgeon Bay  
421 Michigan Street  
Sturgeon Bay, WI 54235

Phone 920-746-2900  
Fax 920-746-2905

Visit our website at: [www.sturgeonbaywi.org](http://www.sturgeonbaywi.org)

October 10, 2022

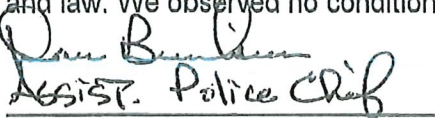
Stephanie Reinhardt  
City Clerk  
421 Michigan Street  
Sturgeon Bay, WI 54235

Ms. Reinhardt:

We, the undersigned, have received a request for certification of compliance for a Class B Beer and Class C Wine license:

Three Gals One Guy LLC  
Dba: A'Boat Time  
26 East Oak Street  
Sturgeon Bay, WI 54235  
November 2, 2022 – June 30, 2023  
Agent: Stephen Homan

This letter is to certify that the applicants and the premises comply with those regulations, ordinances and law. We observed no condition that would prevent issuance of the requested license.



Clint Henry, Police Chief  
City of Sturgeon Bay



Tim Dietman, Fire Chief  
City of Sturgeon Bay



John Teichtler, Sanitarian  
City of Sturgeon Bay/County of Door



## RECOMMENDATION

### TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Finance/Purchasing & Building Committee, hereby recommend to approve the ATC damages distribution award, directing \$162,250 to WWP Development and \$69,700 to the City for incurred losses.

Respectfully submitted,

FINANCE/PURCHASING & BUILDING  
COMMITTEE

By: Helen Bacon, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: October 11, 2022

\*\*\*\*\*

Introduced by \_\_\_\_\_.

Moved by Alderperson \_\_\_\_\_ seconded by

Alderperson \_\_\_\_\_ that said recommendation be adopted.

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.



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

From: Josh Van Lieshout, Administrator

Re: Agenda Item: Consideration of ATC Damages Distribution—WWP Development

Date: October 7, 2022

---

### Item: Consideration of ATC Damages Distribution—WWP Development

**Discussion:** Through diligence on the part of the Community Development Department in late July, 2022 the City learned ATC had placed the newly constructed under bay crossing outside of the previously negotiated and approved easement location. The mis location has impacted the City and potential for development on the site.

The City went about identifying and quantifying the costs associated with the mis location and presented a schedule of costs to ATC. ATC has tentatively agreed to the costs and reimbursement. Not all of the costs are directly related to City incurred expense, the majority are the developer's costs.

#### Developer Incurred Expenses to relocate building:

##### Redesign Expenses

Architectural/Engineering	\$20,000
Additional Utility Const. Exp.	\$10,000
Landscaping Planning/Design	\$5,000

##### Financing Expenses

Reappraisal	\$2,500
Interest cost due to delay in closing (2.4 M, 0.25%, 20 years)	\$60,750

Legal	\$5,000
-------	---------

Administrative Cost	\$8,500
---------------------	---------

Total physical costs of relocate	\$111,750
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#### City Incurred Expenses:

Administrative	
(Legal, Survey Review & Mapping, CDD Staff)	\$7,500
Increased Use of City Parkland for Construction	\$2,500

Total City Costs	\$10,000
Economic Costs due to Changes in Values	
Reduction in buildable area	\$20,500
Loss of value of outdoor improvements (e.g. seating)	\$30,000
Foregone Tax Incremental Financing revenue during life of TID (21 yrs.)	\$24,600
Foregone tax revenue from outdoor Improvement (50 yrs.)	\$35,100
Total economic damages	\$110,200

The Developer will requesting reimbursement for these expenses, as they disbursement from ATC will come through the City, the Finance Committee and Common Council need to approve the payment.

The Developer and City have identified the costs highlighted in yellow as attributed to the development. The development attributed impacts total \$162,250

**Recommendation:** To recommend to the City Council to divide the cost reimbursement from ATC, directing \$162,250 to WWP Development and retaining \$69,700 for City incurred losses.



**Josh Van Lieshout**  
City Administrator

421 Michigan Street ▪ Sturgeon Bay, WI 54235  
Phone: 920-746-2900 ▪ Fax: 920-746-2905  
jvanlieshout@sturgeonbaywi.org ▪ www.sturgeonbaywi.org

August 23, 2022

American Transmission Company, LLC  
Attn. Greg Belanger, Associate Real Estate Project Manager  
P.O. Box 47  
Waukesha, Wisconsin 53187-0047

Dear Mr. Belanger,

On July 15, 2022 the City of Sturgeon Bay was informed that American Transmission Company, LLC placed an underground transmission line outside the boundaries an easement previously agreed to and recorded between the City and ATC. The City and ATC had worked cooperatively to identify the bay crossing location that was economically convenient and beneficial for ATC and would provide the necessary reliable and redundant service to the City's and Northern Door County's electrical distribution grid.

Despite the fact that the recorded easement for ATC restricted the development possibilities of the subject site, through careful planning and due diligence a development project was formulated and approved for the buildable portion of the subject site. That project was about to proceed with construction.

By error, negligence or otherwise, the transmission line is in the wrong location. The City recognizes that relocating the transmission line to the correct location would be expensive and time consuming, and would delay the redevelopment project and increase costs to the taxpayers of the City of Sturgeon Bay and rate payers of ATC member Utilities. Therefore, the City has explored the alternative of adjusting the transmission line easement location and attempting to redesign the redevelopment project. We believe the development project can be shifted to avoid the current location of the transmission line, but this will involve financial burdens and greater risk to the Developer and the City.

During a telephone meeting on August 3rd with you, Jody Lau, and Mike White, along with Community Development Director Marty Olejniczak and myself, we discussed the financial and development impacts of the mis-located transmission line. The City was asked to identify and summarize what we felt were reasonable and appropriate costs associated with adjusting plans and designs to accommodate ATC's needs. We have endeavored to do so by working in a cooperative and judicious manner with the developer to identify all the direct and indirect costs due to the change in the development plan. We offer the following for your consideration:



Developer Incurred Expenses to relocate building:

Redesign Expenses	
Architectural/Engineering	\$20,000
Additional Utility Const. Exp.	\$10,000
Landscaping Planning/Design	\$5,000
Financing Expenses	
Reappraisal	\$2,500
Interest cost due to delay in closing (2.4 M, 0.25%, 20 years)	\$60,750
Legal	\$5,000
<u>Administrative Cost</u>	<u>\$8,500</u>
Total physical costs of relocate	<del>\$114,250</del>

\$111,750

City Incurred Expenses:

Administrative	
(Legal, Survey Review & Mapping, CDD Staff)	\$7,500
<u>Increased Use of City Parkland for Construction</u>	<u>\$2,500</u>
Total City Costs	\$10,000

Economic Costs due to Changes in Values

Reduction in buildable area	\$20,500
Loss of value of outdoor improvements (e.g. seating)	\$30,000
Foregone Tax Incremental Financing revenue during life of TID (21 yrs.)	\$24,600
Foregone tax revenue from outdoor Improvement (50 yrs.)	\$35,100
Total economic damages	\$110,200


**Grand total costs and economic damages                      \$231,950**

In order to demonstrate to ATC the reasonableness of the costs and damages cited above, I have included the development projects financial proforma as prepared by the City's financial advisors and consultants. The total value of the project is over \$2,400,000. The expected tax increment revenue projections for the life of the TID show the project would conservatively generate over \$680,000. The Developer, who the City has been working with for two years, is considering abandoning the project due to the delay and additional associated expenses caused by the transmission line location error. To date the Developer's planning, design, and engineering expenses exceed \$150,000. The City has grave concern over potentially losing this already approved project and shudders to think about the economic, legal, and political fallout that would transpire if that should happen.

In light of the forgoing, the City of Sturgeon Bay believes \$231,950 is a very reasonable for damages, costs and economic compensation. It is my hope that ATC recognizes the value of the real estate, long term financial impacts and considers Sturgeon Bay's status as a member/owner of ATC in evaluating this proposal. The City of Sturgeon would like to bring this matter a swift conclusion.

If ATC is amenable to the proposed values for compensation, I will bring the matter to the Common Council for formal approval. The City will then record the new transmission line easement.

Very truly,



Joshua J. Van Lieshout

Administrator

City of Sturgeon Bay

cc: Common Council, City of Sturgeon Bay  
David Ward, Mayor City of Sturgeon Bay  
Martin J. Olejniczak, City of Sturgeon Bay  
James M. Kalny, City of Sturgeon Bay

Max Developer Incentive (~\$685K)

# City of Sturgeon Bay Tax Increment District No. 4 WWP Development, LLC Cash Flow Proforma Analysis

BAIRD

Assumptions	
Actual Inception During Life of TID	1.00%
2021 Gross Tax Rate (per \$1000 Equalized Value)	\$22.77
Annual Adjustment to tax rate	0.00%
Investment rate	0.50%
Data above dashed line are actual	

Developer Incentive - Criteria	
New Construction	\$2,400,000
TIF Assistance	\$685,000
% of Incentive to Developer	1.00%
City Increment Required	YES

Example Developer Grant	
Developer Outlay / Repayment	\$685,000
Beginning 2022	\$685,000
Total Due to Developer	\$318,905
Total Payments to Developer	\$1,003,905
Shortfall to Developer	\$0

Background Data					
Year	(a) TIF District Valuation	(b) Inflation Increment	(c) Construction Increment	(d) TIF Increment Over Base	(e) Tax Rate
2021	\$0	\$0	\$0	\$0	\$22.77
2022	\$2,400,000	\$24,000	\$2,400,000	\$2,400,000	\$22.77
2023	\$2,424,000	\$24,240	\$2,424,000	\$2,424,000	\$22.77
2024	\$2,448,000	\$24,480	\$2,448,000	\$2,448,000	\$22.77
2025	\$2,472,000	\$24,720	\$2,472,000	\$2,472,000	\$22.77
2026	\$2,496,000	\$24,960	\$2,496,000	\$2,496,000	\$22.77
2027	\$2,520,000	\$25,200	\$2,520,000	\$2,520,000	\$22.77
2028	\$2,544,000	\$25,440	\$2,544,000	\$2,544,000	\$22.77
2029	\$2,568,000	\$25,680	\$2,568,000	\$2,568,000	\$22.77
2030	\$2,592,000	\$25,920	\$2,592,000	\$2,592,000	\$22.77
2031	\$2,616,000	\$26,160	\$2,616,000	\$2,616,000	\$22.77
2032	\$2,640,000	\$26,400	\$2,640,000	\$2,640,000	\$22.77
2033	\$2,664,000	\$26,640	\$2,664,000	\$2,664,000	\$22.77
2034	\$2,688,000	\$26,880	\$2,688,000	\$2,688,000	\$22.77
2035	\$2,712,000	\$27,120	\$2,712,000	\$2,712,000	\$22.77
2036	\$2,736,000	\$27,360	\$2,736,000	\$2,736,000	\$22.77
2037	\$2,760,000	\$27,600	\$2,760,000	\$2,760,000	\$22.77
2038	\$2,784,000	\$27,840	\$2,784,000	\$2,784,000	\$22.77
2039	\$2,808,000	\$28,080	\$2,808,000	\$2,808,000	\$22.77
2040	\$2,832,000	\$28,320	\$2,832,000	\$2,832,000	\$22.77

Revenues			
(f) Tax Revenue	(g) Investment Proceeds	(h) Total Revenues	(i) Revenues Available to Developer
\$0	\$0	\$0	\$0
\$0	\$0	\$0	\$0
\$54,648	\$0	\$54,648	\$54,648
\$55,194	\$0	\$55,194	\$55,194
\$55,740	\$0	\$55,740	\$55,740
\$56,286	\$0	\$56,286	\$56,286
\$56,832	\$0	\$56,832	\$56,832
\$57,378	\$0	\$57,378	\$57,378
\$57,924	\$0	\$57,924	\$57,924
\$58,470	\$0	\$58,470	\$58,470
\$59,016	\$0	\$59,016	\$59,016
\$59,562	\$0	\$59,562	\$59,562
\$60,108	\$0	\$60,108	\$60,108
\$60,654	\$0	\$60,654	\$60,654
\$61,200	\$0	\$61,200	\$61,200
\$61,746	\$0	\$61,746	\$61,746
\$62,292	\$0	\$62,292	\$62,292
\$62,838	\$0	\$62,838	\$62,838
\$63,384	\$0	\$63,384	\$63,384
\$63,930	\$0	\$63,930	\$63,930
\$64,476	\$0	\$64,476	\$64,476
\$1,007,187	\$0	\$1,007,187	\$1,007,187

Expenditures				
(j)	(k)	(l)	(m)	(n)
Developer Outlay	Interest Due to Developer	Annual (Shortfall)/ Surplus	Balance Due to Developer	Payment to Developer
\$685,000	\$0	\$0	\$0	\$0
	\$27,400	(\$685,000)	(\$685,000)	\$0
	\$28,496	\$0	\$27,400	\$0
	\$27,450	\$27,400	(\$712,400)	\$0
	\$27,450	\$28,496	(\$686,248)	\$54,648
	\$26,340	\$27,450	\$26,152	\$55,194
	\$25,164	\$26,340	\$27,745	\$55,194
	\$31,600	\$25,164	\$25,406	\$55,194
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\$31,600	\$31,600	\$27,097	\$55,194	
\$31,600	\$31,600	\$27,097	\$	

## RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the City Plan Commission, hereby recommend to approve an annexation petition from Mark and Cindy Kerscher for parcels #020-0113272522 (A-C) located on State Highway 42/57 in the Town of Nasewaupée.

Respectfully submitted,  
City Plan Commission  
By: David Ward, Chairman

RESOLVED, that the foregoing recommendation be adopted.

Date: October 19, 2022.

\*\*\*\*\*

Introduced by \_\_\_\_\_;

Moved by Alderperson \_\_\_\_\_, seconded by  
Alderperson \_\_\_\_\_ that said recommendation be  
adopted.

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.



## PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL

We, the undersigned, constituting all of the electors and all of the owners of real property in the following territory of the Town of Nasewaupée, Door County, Wisconsin, lying contiguous to the City of Sturgeon Bay, petition the Common Council of the City of Sturgeon Bay to annex the territory described below and shown on the attached scale map to the City of Sturgeon Bay, Door County, Wisconsin:

See legal description attached hereto as Exhibit "A".

The current population of such territory is 2,015 (2018).

A scaled map of the parcel subject to this petition is attached hereby as Exhibit "B". Petitioners request that the City of Sturgeon Bay approve a zoning classification of C1 (General Commercial) upon the subject property.

We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation, or consolidation proceedings, if any.

Signature of Petitioner	Printed Name	Date of Signing	Owner*	Elector*	Address or Property Description
1. <u>Frank Steeves</u>	Frank Steeves Fleet Farm Group, LLC	9/15/2022		Elector	6703/6639/6663 St Hwy 42-57
2. <u>Mark A. Kerscher</u>	Mark A. Kerscher	9-16-22	Owner		6703/6639/6663 St Hwy 42-57
3. <u>Cindy Lou Kerscher</u>	Cindy Lou Kerscher	9-16-22	Owner		6703/6639/6663 St Hwy 42-57
4. <u>Mark A. Kerscher</u>	Mark A. & Cindy Lou Kerscher REV Trust	9-16-22	Owner		6703/6639/6663 St Hwy 42-57
5. <u>Cindy Lou Kerscher</u>					
6.					
7.					
8.					
9.					
10.					

\*If owner, write "owner" in appropriate box; if elector, write "elector" in appropriate box.

I, Lori Flick, (name of circulator), being duly sworn, state: Wisconsin I reside at Action Realty Sturgeon Bay, WI 54235, Wisconsin. I personally circulated the attached petition commencing on the 15<sup>th</sup> day of September, 2022, and terminating on the 16<sup>th</sup> day of September, 2022, and personally obtained each signature on this petition. I know that each person who signed is an elector or owner of property located in the territory proposed for annexation and signed the petition with full knowledge of its content on the date indicated opposite his or her name. I know their respective residences given. I reside within the territory described above. I am aware that falsifying this affidavit is punishable under Sections 12.13 (3) (a) and 946.32 (1) (a) of the Wisconsin Statutes.

Lori Flick  
Signature of Circulator

Subscribed and sworn to before me  
this 16<sup>th</sup> day of September, 2022

Julia M Henkel  
Notary Public, State of Wisconsin  
My Commission expires: 3-19-25



### Sturgeon Bay Fleet Farm Parcel Description

A parcel of land located in part of the Northwest Quarter of the Northwest Quarter of Section 13, Township 27 North, Range 25 East, Town of Nasewaupee, Door County, Wisconsin, more fully described as follows.

Commencing at the Northwest Corner of Section 13;

Thence S00°07'18"E coincident with the West line of the Northwest Quarter of Section 13 a distance of 65.59 feet to its intersection with the South right-of-way line for STH 42-57 (Green Bay Road) also being the point of beginning.

Thence S88°40'18"E coincident with said South right-of-way line a distance of 44.54 feet;  
Thence S76°18'13"E coincident with said South right-of-way line a distance of 102.39 feet;  
Thence S88°42'39"E coincident with said South right-of-way line a distance of 300.00 feet;  
Thence S80°10'48"E coincident with said South right-of-way line a distance of 101.12 feet;  
Thence S88°42'39"E coincident with said South right-of-way line a distance of 150.00 feet;  
Thence N83°41'41"E coincident with said South right-of-way line a distance of 151.33 feet;  
Thence S88°42'39"E coincident with said South right-of-way line a distance of 459.01 feet to its intersection with the East line of the Northwest Quarter of the Northwest Quarter of Section 13,  
Thence S00°04'21"E coincident with said East line a distance of 1249.52 feet to the Southeast Corner of the Northwest Quarter of the Northwest Quarter of Section 13;  
Thence N88°38'55"W coincident with the South line of the Northwest Quarter of the Northwest Quarter of Section 13 a distance of 1302.10 feet to the Southwest Corner of the Northwest Quarter of the Northwest Quarter of Section 13;  
Thence N00°07'18"W coincident with the West line of the Northwest Quarter of Section 13 a distance of 1265.16 feet to the point of beginning.

Said parcel of land contains 37.198 acres (1,620,349 square feet) more or less.

Subject to all easements and restrictions of record

Exhibit A







Exhibit B



## **Annexation Study**

Mark & Cindy Lou Kerscher – Highway 42-57  
October 14, 2022

### Background

The City of Sturgeon Bay received a petition for direct annexation from Mark and Cindy Lou Kerscher for three parcels of land totaling 37.198 acres in size. The subject parcels are located at 6703, 6639, and 6663 Highway 42-57, on the south side of the highway. They are currently in the Town of Nasewaupee. The subject parcels are contiguous to the City on the east and north sides. There is a pre-annexation agreement with the City for one of the parcels (6639 Highway 42-57). That agreement allowed for the dwelling on the parcel to hook up to the municipal sewer and water in exchange for annexing the property at a later date.

The petition was submitted as a petition for direct annexation by unanimous consent. In order to formally annex the parcel, the Common Council must adopt an annexation ordinance by a 2/3 majority vote after recommendation from the Plan Commission.

### Existing and Proposed Use

The area proposed to be annexed contains two dwellings and some outbuildings. Most of the property is cropped, although there are wetlands along the eastern and southern portions. An electric transmission line owned by American Transmission Company runs diagonally across the property.

Fleet Farm has proposed to remove the existing buildings and redevelop the site into a retail store with indoor/outdoor lumberyard, gas pumps and car wash. The Annexation petition was submitted to facilitate that project by enabling it to be eligible for municipal sanitary sewer and water service.

### Existing Services

The subject property already is within the electrical service area of Sturgeon Bay Utilities. Municipal sanitary sewer and water mains are located within the right-of-way of the highway up to Grant Avenue, which is about half-way along the frontage of the land proposed to be annexed. The house at 6639 Highway 42-57 is already hooked up to these utilities under the aforementioned pre-annexation agreement.

### Extension of Services

All department heads were asked to review and report on the impact that the proposed annexation would have on the services provided by the City. The following is a summary of service impacts and costs.

*Police protection* - The police chief reports that if the annexation occurs and the proposed development is constructed, there will be an increase in service calls due to the retail store. The chief believe the Department can provide police protection to the property without incurring additional costs or needing additional manpower.

*Fire Protection* - The fire chief reports that the property can be serviced without increased personnel or equipment costs, provided that the proposed development has sufficient water flow

for fire protection. The existing dead-end mains will need to be looped in order to provide the proper pressure and volume for fire protection. This looped has been previously planned and Sturgeon Bay Utilities, the developer, and City staff have initiated discussions on the plan and costs to complete it.

*Utilities* - Electrical service is already provided to the subject property. There is sufficient water and sewer capacity to serve the property, but the looping of the water main will be required to maintain proper flow/pressure. The existing water and sanitary sewer mains that run along the highway can be extended into the property to serve future development. However, the property is not within the sewer service area (SSA) for Sturgeon Bay. A boundary amendment to the SSA is necessary. The Utilities Commission and SBU staff will submit the SSA amendment to the Wisconsin DNR for approval. Until the boundary amendment is approved by the state, a connection to the sanitary sewer cannot be made.

*Park and Recreation* - The annexation will have no impact on park and recreation services if the proposed development occurs. The site is not anticipated to have any municipal recreation facilities and will not generate a demand for such facilities.

*Public Works* - The state is responsible for the maintenance of the state highway with the county highway department providing snow removal and weed cutting services on behalf of the state. At this point no new local streets are proposed for this development. The proposed Fleet Farm is not eligible for refuse and recycling pick up. Thus, no significant impacts to public works are anticipated.

*Administrative functions* - The annexation would not impact the administrative functions of the City, such as elections. There would not be a need for increased staff or other costs to the City.

#### Potential tax revenue and related impacts

Based upon current assessment information and tax rate, the combined property would generate about \$1,637 in City property tax revenue. This figure could change due to differences in assessment ratios and future changes to the City's tax rate. Obviously, if the Fleet Farm project happens, the property taxes generated would be significantly higher, but an estimate is not available at this time.

Under state law, for five years the City must pay to the Town of Nasewaupée the amount of taxes it received from the subject property in the year prior to the annexation. The 2021 taxes levied on the subject parcels were \$214.73. Thus, the City would be obligated to pay a total of \$1,073.65 to the town.

The annexation will not impact the amount of state shared revenue that Sturgeon Bay receives. It also will not have any noticeable impact on the sales tax credit allocation received from Door County.

#### Comprehensive Plan & Zoning Classification

The future land use plan of the Sturgeon Bay Comprehensive Plan identifies the subject property for continued Agricultural/Rural use. However, a petition to amend the Comprehensive Plan to place the subject property into the Regional Commercial land use category was submitted. That petition was recommended for approval by the Plan Commission and the Council has approved the first reading of the ordinance to amend the Comprehensive Plan with the second reading

consistent with the Plan. There appear to be no specific recommendations relating to this parcel, such as planned public facilities or special projects.

If annexed, the City needs to provide a zoning classification. The petitioner requests C-1 General Commercial zoning district. Based upon the amended Comprehensive Plan designation and surrounding zoning, the C-1 district is appropriate.

#### Annexation Guidelines

The City had adopted goals and policies for annexations and guidelines for evaluating proposed annexations. The proposed annexation appears to generally meet those policies that are relevant. In particular, the annexation is compatible with existing and planned land uses, does not create jagged or irregular boundaries, can be served by municipal services, and has short-term and long-range economic benefits to the City. It allows for orderly growth of the City without leap-frogging over undeveloped areas.

#### Conclusion

The City can provide services to the current development on the three parcels with only marginal costs. If the Fleet Farm is to develop, the necessary services can also be efficiently provided, but there will be a need to loop the water main to provide sufficient water for fire protection. The developer, city officials, and Sturgeon Bay Utilities have already begun planning/design for this loop and the cost allocation for the loop. It is noted that this water main loop has been planned for a long time and will be needed regardless of whether the property is annexed.

In general, there does not appear to be any strong arguments against the annexation. Therefore, annexation is recommended by staff.

#### Plan Commission Recommendation

The Plan Commission will consider the annexation petition on October 19<sup>th</sup> and make its recommendation to the Council. The Commission will also make its recommendation for temporary zoning, should the annexation take effect.

Prepared by:   
Martin Olejniczak  
Community Development Director

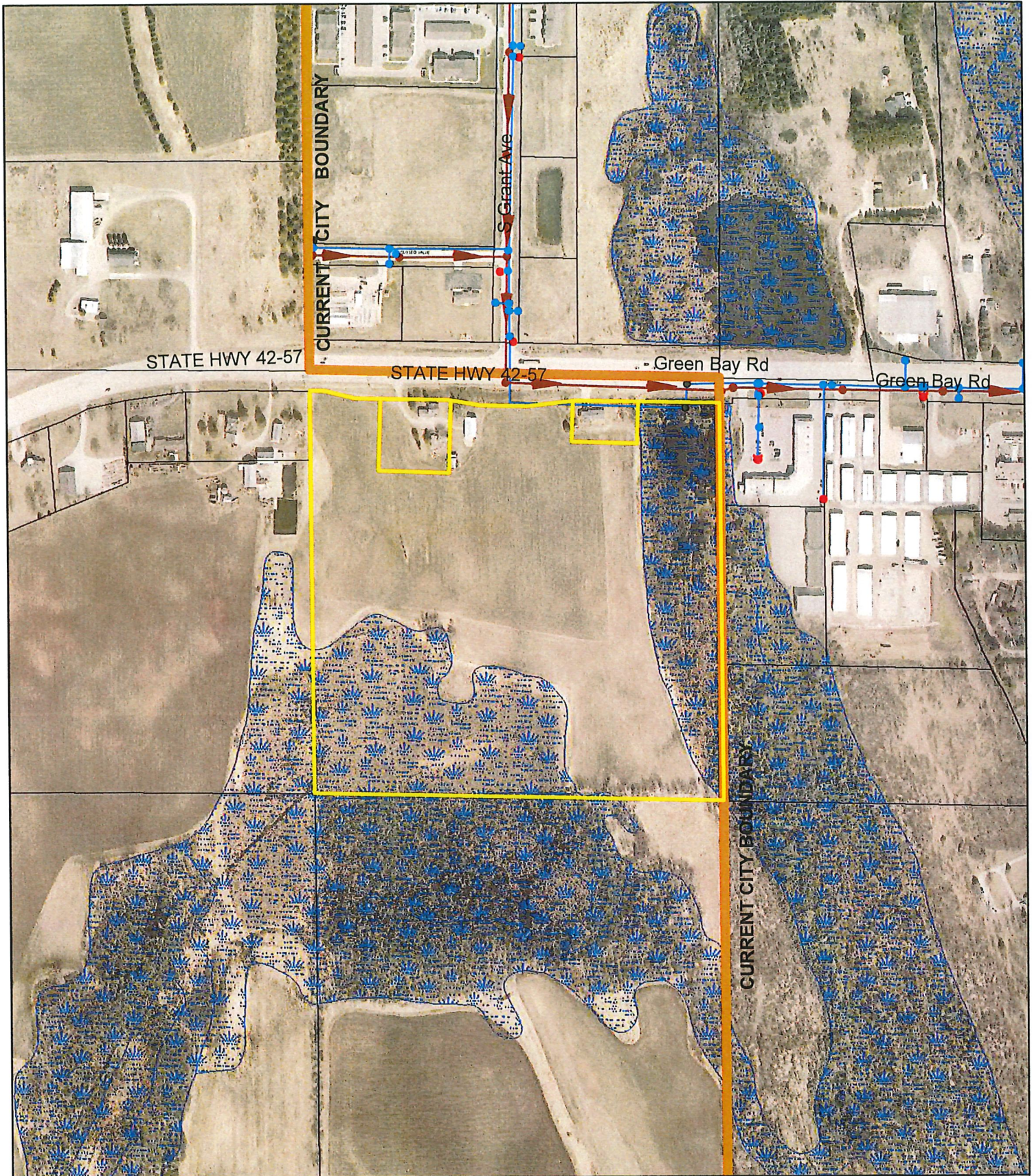
10/14/22  
Date

Reviewed by:   
Josh Van Lieshout  
City Administrator

10/14/22  
Date



# Annexation Area - Kerscher/Fleet Farm



Parcels proposed to be annexed are outlined in yellow.  
Existing sanitary sewer and water mains are shown (brown and blue lines, respectively).

Map date: October 14, 2022





# 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.*

## MEMO

Date: 09/26/2022

To: City Administrator Josh VanLieshout

Community Development Director Marty Olejniczak

Re: Annexation

Annexation procedure for the City of Sturgeon Bay requires department heads to conduct an impact study in regards to lands that will be annexed into the city. Therefore, this MEMO was drafted to address perceived issues from a law enforcement perspective. If the city would annex the land and no improvements are made to the property it would have a minimal impact on SBPD. If Fleet Farm is built on the proposed annexed property, we will see an increase in police response to the area as Fleet Farm will attract a fair amount of vehicle traffic and other incidents associated with retail stores.

Understanding the potential issues that may arise with the addition of a Fleet Farm, I believe that our current staff will be able to respond appropriately to the additional call volume.

Sincerely,

Clinton Henry  
Chief of Police  
Sturgeon Bay Police Department  
421 Michigan Street  
Sturgeon Bay, WI 54235  
(920) 746-2450



Visit our website at: [www.sturgeonbaywi.org](http://www.sturgeonbaywi.org)

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## MEMO

**To:** Joshua Van Lieshout, City Administrator  
Marty Olejniczak, Community Development Director  
**From:** Valerie J. Clarizio, Finance Director/City Treasurer  
**Subject:** Kerscher/Fleet Farm Annexation  
**Date:** September 22, 2022

As per your email dated September 21, 2022 in regard to the Kerscher/Fleet Farm annexation, I have reviewed the potential property tax impacts that may be caused by the annexation. Based upon the assessment information as shown on the most current tax bills issued to Mark & Cindy Kerscher and their Trust (parcel addresses: 6639/6663/6703 State Hwy 42-57), if the properties had been annexed in time to be included in this years' tax collection the City would have received approximately \$1,636.85 in real estate taxes. This amount was calculated by using the combined \$222,700 assessments for the three parcels as shown on the 2021 tax bills, and multiplying it by the City's 2021/2022 tax rate of \$7.35, without TID. Keep in mind that the above mentioned assessed values may vary slightly at the time the properties are annexed to the City due to the differences in the assessment ratios between the City of Sturgeon Bay and the Town of Nasewaupee. Also, according to Wis. Stats. 66.0217(14), no territory may be annexed by a City unless the City agrees to pay annually to the town, for 5 years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as per the tax roll in the year in which the annexation is filed. The 2021 taxes levied, for collection in 2022, on these properties in the town of Nasewaupee was \$214.73.

The annexation will have no impact on the amount of state shared revenue received by the City, as the payments to the municipalities are no longer formula based; they are simply based off of the payment amount from the prior year.

The annexation will have minimal impact on the amount of the sales tax credit allocation received from the County of Door. The County distributes the sales tax based upon the equalized values of the municipalities.

Please feel free to contact me if you have any questions or need any additional information.

## Olejniczak, Marty

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**From:** Shefchik, Chad  
**Sent:** Thursday, September 22, 2022 9:12 AM  
**To:** VanLieshout, Josh; Olejniczak, Marty  
**Subject:** FW: Annexation petition - Kerscher  
**Attachments:** Annexation petition - Kerscher.pdf

If Fleet Farm builds on these annexed properties the engineering department will likely have to inspect the new sewer and water mains installed on the site. Other than that there are no long term impacts or additional services that the engineering department will have to provide.

However, this development will likely need a looped water main from the dead end of Grant Ave to S Columbia Ave. It will need to be determined how this loop will be paid for and inspection of the installation will likely be needed by the engineering department. If this issue is resolved between the City and Developer then the engineering department does not object to the annexation.

Thanks,

Chad Shefchik  
City Engineer

City of Sturgeon Bay  
421 Michigan Street  
Sturgeon Bay, WI 54235

Office: 920-746-2913  
Mobile: 920-493-1039  
Email: [cshefchik@sturgeonbaywi.org](mailto:cshefchik@sturgeonbaywi.org)

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**From:** Olejniczak, Marty  
**Sent:** Wednesday, September 21, 2022 10:21 AM  
**To:** Henry, Clint <CHenry@sturgeonbaywi.org>; Brinkman, Dan <DBrinkman@sturgeonbaywi.org>; VanLieshout, Josh <jvanlieshout@sturgeonbaywi.org>; Barker, Michael <mbarker@sturgeonbaywi.org>; Clarizio, Valerie J. <vclarizio@sturgeonbaywi.org>; Reinhardt, Stephanie <sreinhardt@sturgeonbaywi.org>; Dietman, Tim <tdietman@sturgeonbaywi.org>; Montevideo, Kalin <kmontevideo@sturgeonbaywi.org>; Shefchik, Chad <cshefchik@sturgeonbaywi.org>  
**Subject:** Annexation petition - Kerscher

The City received an annexation petition for three lots on the south side of Highway 42-57 owned by the Kerschers. The petition is attached. Per the City procedures, an annexation study is prepared with input from all of the city departments. Therefore, please draft a memo and send to Josh and me that outlines the expected impact to your department in terms of providing services to the annexed land. Bear in mind that the annexation is intended to facilitate the development of a Fleet Farm store (including gas pumps) at that site.

Thanks.

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Finance/Purchasing & Building Committee, hereby recommend to approve the annexation with Mark and Cindy Kerscher for parcel numbers 020-01-13272522A-C.

Respectfully submitted,

FINANCE/PURCHASING & BUILDING  
COMMITTEE  
By: Helen Bacon, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: October 25, 2022

\*\*\*\*\*

Introduced by \_\_\_\_\_.

Moved by Alderperson \_\_\_\_\_ seconded by

Alderperson \_\_\_\_\_ that said recommendation be adopted.

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.



## PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL

We, the undersigned, constituting all of the electors and all of the owners of real property in the following territory of the Town of Nasewaupée, Door County, Wisconsin, lying contiguous to the City of Sturgeon Bay, petition the Common Council of the City of Sturgeon Bay to annex the territory described below and shown on the attached scale map to the City of Sturgeon Bay, Door County, Wisconsin:

See legal description attached hereto as Exhibit "A".

The current population of such territory is 2,015 (2018).

A scaled map of the parcel subject to this petition is attached hereby as Exhibit "B". Petitioners request that the City of Sturgeon Bay approve a zoning classification of C1 (General Commercial) upon the subject property.

We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation, or consolidation proceedings, if any.

Signature of Petitioner	Printed Name	Date of Signing	Owner*	Elector*	Address or Property Description
1. <i>Frank Steeves</i>	Frank Steeves Fleet Farm Group, LLC	9/15/2022		Elector	6703/6639/6663 St Hwy 42-57
2. <i>Mark A. Kerscher</i>	Mark A. Kerscher	9-16-22	Owner		6703/6639/6663 St Hwy 42-57
3. <i>Cindy Lou Kerscher</i>	Cindy Lou Kerscher	9-16-22	Owner		6703/6639/6663 St Hwy 42-57
4. <i>Mark A. Kerscher</i>	Mark A. & Cindy Lou Kerscher REV Trust	9-16-22	Owner		6703/6639/6663 St Hwy 42-57
5. <i>Cindy Lou Kerscher</i>					
6.					
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8.					
9.					
10.					

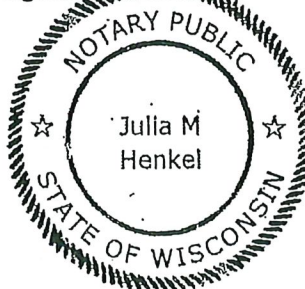
\*If owner, write "owner" in appropriate box; if elector, write "elector" in appropriate box.

I, Lori Flick, (name of circulator), being duly sworn, state: Wisconsin I reside at Action Realty, Sturgeon Bay, WI 54235, Wisconsin. I personally circulated the attached petition commencing on the 15th day of September, 2022, and terminating on the 16th day of September, 2022, and personally obtained each signature on this petition. I know that each person who signed is an elector or owner of property located in the territory proposed for annexation and signed the petition with full knowledge of its content on the date indicated opposite his or her name. I know their respective residences given. I reside within the territory described above. I am aware that falsifying this affidavit is punishable under Sections 12.13 (3) (a) and 946.32 (1) (a) of the Wisconsin Statutes.

*Julia M Henkel*  
Signature of Circulator

Subscribed and sworn to before me this 16th day of September, 2022

*Julia M Henkel*  
Notary Public, State of Wisconsin  
My Commission expires: 3-19-25



### Sturgeon Bay Fleet Farm Parcel Description

A parcel of land located in part of the Northwest Quarter of the Northwest Quarter of Section 13, Township 27 North, Range 25 East, Town of Nasewaupée, Door County, Wisconsin, more fully described as follows.

Commencing at the Northwest Corner of Section 13;

Thence S00°07'18"E coincident with the West line of the Northwest Quarter of Section 13 a distance of 65.59 feet to its intersection with the South right-of-way line for STH 42-57 (Green Bay Road) also being the point of beginning.

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Thence S76°18'13"E coincident with said South right-of-way line a distance of 102.39 feet;  
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Said parcel of land contains 37.198 acres (1,620,349 square feet) more or less.

Subject to all easements and restrictions of record

Exhibit A

10/11/2019 10:11:11 AM



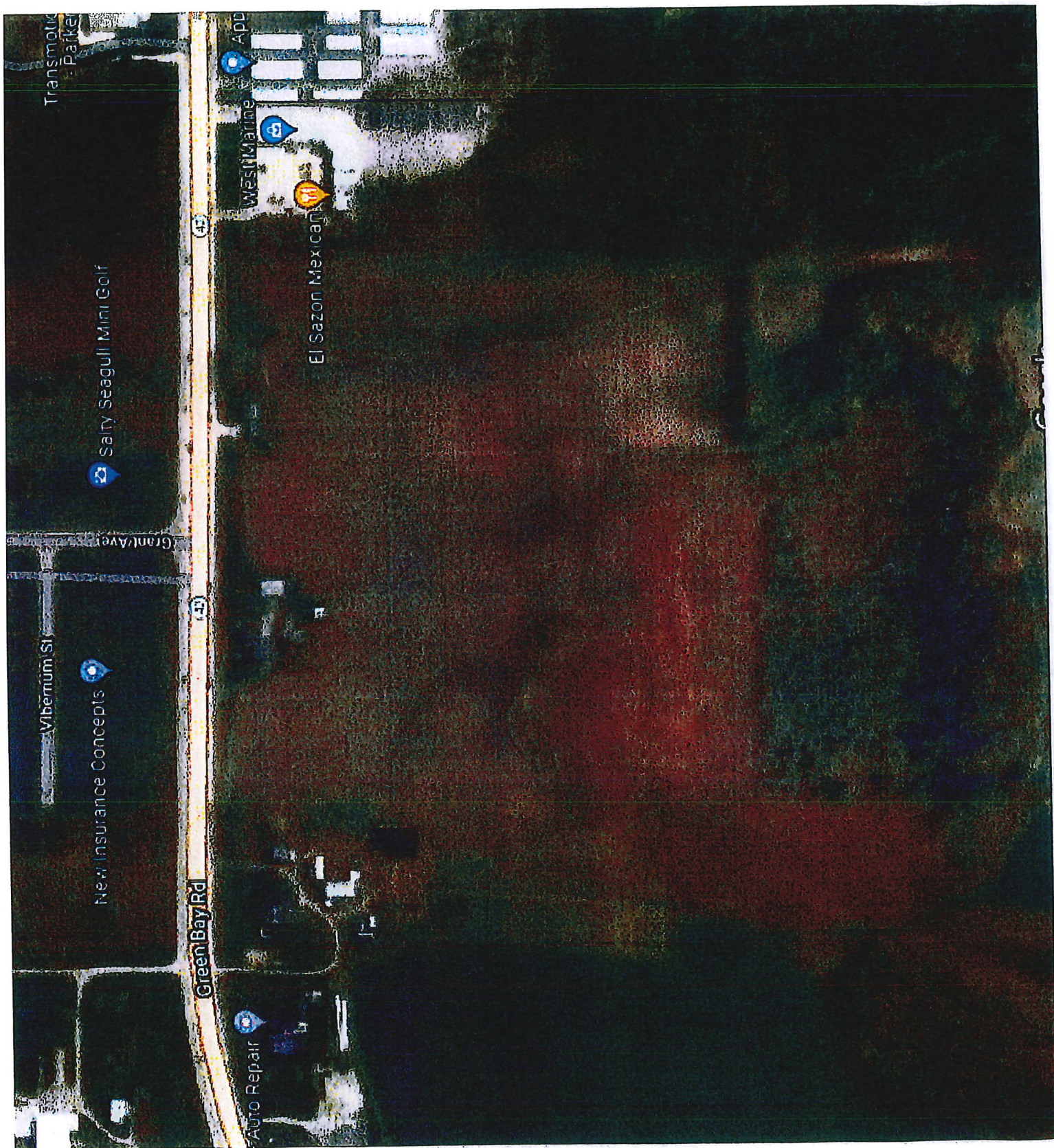


Exhibit B



## **Annexation Study**

Mark & Cindy Lou Kerscher – Highway 42-57  
October 14, 2022

### Background

The City of Sturgeon Bay received a petition for direct annexation from Mark and Cindy Lou Kerscher for three parcels of land totaling 37.198 acres in size. The subject parcels are located at 6703, 6639, and 6663 Highway 42-57, on the south side of the highway. They are currently in the Town of Nasewaupée. The subject parcels are contiguous to the City on the east and north sides. There is a pre-annexation agreement with the City for one of the parcels (6639 Highway 42-57). That agreement allowed for the dwelling on the parcel to hook up to the municipal sewer and water in exchange for annexing the property at a later date.

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consistent with the Plan. There appear to be no specific recommendations relating to this parcel, such as planned public facilities or special projects.

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In general, there does not appear to be any strong arguments against the annexation. Therefore, annexation is recommended by staff.

#### Plan Commission Recommendation

The Plan Commission will consider the annexation petition on October 19<sup>th</sup> and make its recommendation to the Council. The Commission will also make its recommendation for temporary zoning, should the annexation take effect.

Prepared by: Martin Olejniczak  
Martin Olejniczak  
Community Development Director

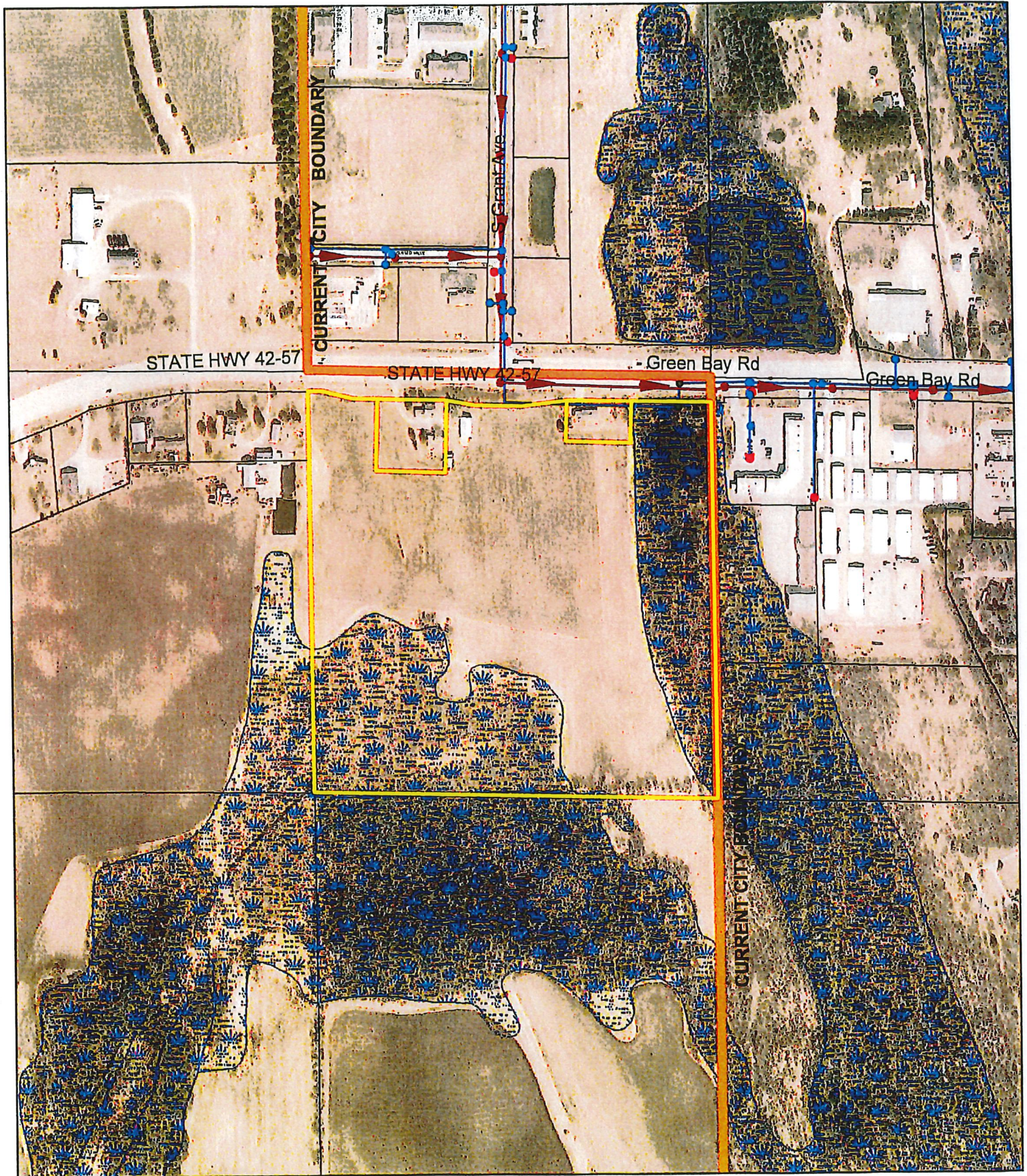
10/14/22  
Date

Reviewed by: Josh Van Lieshout  
Josh Van Lieshout  
City Administrator

10/14/22  
Date



# Annexation Area - Kerscher/Fleet Farm



Parcels proposed to be annexed are outlined in yellow.  
Existing sanitary sewer and water mains are shown (brown and blue lines, respectively).

Map date: October 14, 2022





# 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.*

## MEMO

Date: 09/26/2022

To: City Administrator Josh VanLieshout

Community Development Director Marty Olejniczak

Re: Annexation

Annexation procedure for the City of Sturgeon Bay requires department heads to conduct an impact study in regards to lands that will be annexed into the city. Therefore, this MEMO was drafted to address perceived issues from a law enforcement perspective. If the city would annex the land and no improvements are made to the property it would have a minimal impact on SBPD. If Fleet Farm is built on the proposed annexed property, we will see an increase in police response to the area as Fleet Farm will attract a fair amount of vehicle traffic and other incidents associated with retail stores.

Understanding the potential issues that may arise with the addition of a Fleet Farm, I believe that our current staff will be able to respond appropriately to the additional call volume.

Sincerely,

Clinton Henry  
Chief of Police  
Sturgeon Bay Police Department  
421 Michigan Street  
Sturgeon Bay, WI 54235  
(920) 746-2450



Visit our website at: [www.sturgeonbaywi.org](http://www.sturgeonbaywi.org)

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## MEMO

**To:** Joshua Van Lieshout, City Administrator  
Marty Olejniczak, Community Development Director  
**From:** Valerie J. Clarizio, Finance Director/City Treasurer  
**Subject:** Kerscher/Fleet Farm Annexation  
**Date:** September 22, 2022

As per your email dated September 21, 2022 in regard to the Kerscher/Fleet Farm annexation, I have reviewed the potential property tax impacts that may be caused by the annexation. Based upon the assessment information as shown on the most current tax bills issued to Mark & Cindy Kerscher and their Trust (parcel addresses: 6639/6663/6703 State Hwy 42-57), if the properties had been annexed in time to be included in this years' tax collection the City would have received approximately \$1,636.85 in real estate taxes. This amount was calculated by using the combined \$222,700 assessments for the three parcels as shown on the 2021 tax bills, and multiplying it by the City's 2021/2022 tax rate of \$7.35, without TID. Keep in mind that the above mentioned assessed values may vary slightly at the time the properties are annexed to the City due to the differences in the assessment ratios between the City of Sturgeon Bay and the Town of Nasewaupee. Also, according to Wis. Stats. 66.0217(14), no territory may be annexed by a City unless the City agrees to pay annually to the town, for 5 years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as per the tax roll in the year in which the annexation is filed. The 2021 taxes levied, for collection in 2022, on these properties in the town of Nasewaupee was \$214.73.

The annexation will have no impact on the amount of state shared revenue received by the City, as the payments to the municipalities are no longer formula based; they are simply based off of the payment amount from the prior year.

The annexation will have minimal impact on the amount of the sales tax credit allocation received from the County of Door. The County distributes the sales tax based upon the equalized values of the municipalities.

Please feel free to contact me if you have any questions or need any additional information.

## Olejniczak, Marty

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**From:** Shefchik, Chad  
**Sent:** Thursday, September 22, 2022 9:12 AM  
**To:** VanLieshout, Josh; Olejniczak, Marty  
**Subject:** FW: Annexation petition - Kerscher  
**Attachments:** Annexation petition - Kerscher.pdf

If Fleet Farm builds on these annexed properties the engineering department will likely have to inspect the new sewer and water mains installed on the site. Other than that there are no long term impacts or additional services that the engineering department will have to provide.

However, this development will likely need a looped water main from the dead end of Grant Ave to S Columbia Ave. It will need to be determined how this loop will be paid for and inspection of the installation will likely be needed by the engineering department. If this issue is resolved between the City and Developer then the engineering department does not object to the annexation.

Thanks,

Chad Shefchik  
City Engineer

City of Sturgeon Bay  
421 Michigan Street  
Sturgeon Bay, WI 54235

Office: 920-746-2913  
Mobile: 920-493-1039  
Email: [cshefchik@sturgeonbaywi.org](mailto:cshefchik@sturgeonbaywi.org)

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**From:** Olejniczak, Marty  
**Sent:** Wednesday, September 21, 2022 10:21 AM  
**To:** Henry, Clint <CHenry@sturgeonbaywi.org>; Brinkman, Dan <DBrinkman@sturgeonbaywi.org>; VanLieshout, Josh <jvanlieshout@sturgeonbaywi.org>; Barker, Michael <mbarker@sturgeonbaywi.org>; Clarizio, Valerie J. <vclarizio@sturgeonbaywi.org>; Reinhardt, Stephanie <sreinhardt@sturgeonbaywi.org>; Dietman, Tim <tdietman@sturgeonbaywi.org>; Montevideo, Kalin <kmontevideo@sturgeonbaywi.org>; Shefchik, Chad <cshefchik@sturgeonbaywi.org>  
**Subject:** Annexation petition - Kerscher

The City received an annexation petition for three lots on the south side of Highway 42-57 owned by the Kerschers. The petition is attached. Per the City procedures, an annexation study is prepared with input from all of the city departments. Therefore, please draft a memo and send to Josh and me that outlines the expected impact to your department in terms of providing services to the annexed land. Bear in mind that the annexation is intended to facilitate the development of a Fleet Farm store (including gas pumps) at that site.

Thanks.



RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the City Plan Commission, hereby recommend to apply General Commercial (C-1) as the temporary zoning classification for parcels #020-0113272522 (A-C) located on State Highway 42/57 in the Town of Nasewaupee owned by Mark and Cindy Kerscher.

Respectfully submitted,  
City Plan Commission  
By: David Ward, Chairman

RESOLVED, that the foregoing recommendation be adopted.

Date: October 19, 2022.

\*\*\*\*\*

Introduced by \_\_\_\_\_;

Moved by Alderperson \_\_\_\_\_, seconded by  
Alderperson \_\_\_\_\_ that said recommendation be  
adopted.

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.



## ORDINANCE NO. \_\_\_\_\_

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

SECTION 1: Territory Annexed. In accordance with Sec. 66.0217 of the Wisconsin Statutes and the petition for direct annexation filed with city clerk on the 16th day of September, 2022, signed by all of the owners of lands lying within the territory and all of the electors residing in such territory, the following described territory in the Town of Nasewaupee, Door County, Wisconsin, is annexed into the City of Sturgeon Bay, Wisconsin.

The Northwest Quarter of the Northwest Quarter of Section 13, Township 27 North, Range 25 East, Town of Nasewaupee, Door County, Wisconsin, more fully described as follows:

Commencing at the Northwest Corner of Section 13;

Thence S00°07'18"E coincident with the West line of the Northwest Quarter of Section 13 a distance of 65.59 feet to its intersection with the South right-of-way line for STH 42-57 (Green Bay Road) also being the point of beginning.

Thence S.88°40' 18"E coincident with said South right-of-way line a distance of 44.54 feet; Thence S76°18'13"E coincident with said South right-of-way line a distance of 102.39 feet; Thence S88°42'39"E coincident with said South right-of-way line a distance of 300.00 feet; Thence S80°10'48"E coincident with said South right-of-way line a distance of 101.12 feet; Thence S88°42'39"E coincident with said South right-of-way line a distance of 150.00 feet; Thence N83°41'41"E coincident with said South right-of-way line a distance of 151.33 feet; Thence S88°42'39"E coincident with said South right-of-way line a distance of 459.01 feet to its intersection with the East line of the Northwest Quarter of the Northwest Quarter of Section 13; Thence S00°04'21"E coincident with said East line a distance of 1249.52 feet to the Southeast Corner of the Northwest Quarter of the Northwest Quarter of Section 13; Thence N88°38'55"W coincident with the South line of the Northwest Quarter of the Northwest Quarter of Section 13 a distance of 1302.10 feet to the Southwest Corner of the Northwest Quarter of the Northwest Quarter of Section 13; Thence N00°07'18"W coincident with the West line of the Northwest Quarter of Section 13 a distance of 1265.16 feet to the point of beginning;

Together with the right-of-way of STH 42-57 (Green Bay Road) abutting thereto.

SECTION 2: Effect of Annexation. From and after the date of this ordinance, the territory hereinafter described in Section 1 shall be part of the City of Sturgeon Bay, Door County, Wisconsin, for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules, and regulations governing the City of Sturgeon Bay.

SECTION 3: Temporary Zoning Classification.

- (a) Upon recommendation of the Plan Commission of the City of Sturgeon Bay, the territory annexed to the City of Sturgeon Bay by this ordinance is temporarily zoned as General Commercial (C-1), pursuant to Sec. 66.0217(8)(a) of the Wisconsin Statutes.
- (b) The Plan Commission is directed to prepare an amendment to the zoning ordinance pursuant to Sec. 62.23(7)(d) of the Wisconsin Statutes setting forth permanent classifications and regulations for zoning of the annexed area consistent with the comprehensive plan and the official map of the City of Sturgeon Bay and to submit its recommendations to the Common Council of the City of Sturgeon Bay.

SECTION 4: Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

SECTION 5: Effective Date. This ordinance shall take effect on the day after its publication.

Approved:

\_\_\_\_\_  
David J. Ward  
Mayor

Attest:

\_\_\_\_\_  
Stephanie L. Reinhardt  
City Clerk

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the City Plan Commission, hereby recommend to rezone the Agricultural (A) portion of parcel #281-70-32001410C, located at 1361 N. 14<sup>th</sup> Avenue and currently owned by Estes Investments LLP, to Multiple-Family Residential (R-4), subject to the following conditions to be resolved no later than the time of the second reading of the ordinance:

1. The retaining wall/retention on the north side of the property shall be completed,
2. The existing debris shall be removed from the drainage swale,
3. The drainage swale shall be relocated closer to the west property line, consistent with the approved stormwater management/grading plan.

Respectfully submitted,  
City Plan Commission  
By: David Ward, Chair

RESOLVED, that the foregoing recommendation be adopted.

Date: October 19, 2022

\*\*\*\*\*

Introduced by \_\_\_\_\_;

Moved by Alderperson \_\_\_\_\_, seconded by Alderperson \_\_\_\_\_ that said recommendation be adopted.

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

STAFF REPORT  
ZONING MAP AMENDMENT – A to R-4  
1361 N 14<sup>th</sup> AVE – PORTION OF PARCEL #281-70-32001410C

**Summary:** Estes Investment, LLP, is petitioning the City to rezone the easterly portion of the property located at 1361 N 14<sup>th</sup> Avenue from Agricultural (A) to Multiple-Family Residential (R-4). The property owner intends to construct a 22-unit apartment building with underbuilding parking.

**Existing Conditions:** The property is approximately 1.87 acres. It was a defunct fruit processing plant that had been used for storage for many years along with a manufactured home. The westerly 190 feet was rezoned to General Commercial (C-1) earlier this year to facilitate the construction of commercial storage buildings. That development has commenced.

North and south of the property are single-family dwellings. Walmart is located east of this property, and multiple-family residential is to the west. There is a mix of zoning classification surrounding this property including Commercial (C-1), Agricultural (A), Single-Family Residential (R-1), and Multiple-Family Residential (R-4).

**Comprehensive Plan:** The future land use map of the Comprehensive Plan designates this property for Higher Density Residential. This area is intended for a variety of residential units but is primarily comprised of multiple family residential to be developed at a density up to 12.4 units per acre. If the property is to be rezoned, R-3 or R-4 would be the most appropriate district. The proposed rezoning to facilitate the apartment building is consistent with the comprehensive plan.

**Additional Considerations:** Sanitary sewer and water services ends at the intersection of Bluebird St with N. 14<sup>th</sup> Ave. It needs to be extended to serve this property. The developer is working jointly with the City to extend the mains and has commissioned Stantec (formerly Baudhuin, Inc) to design the plans.

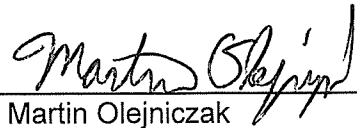
At the time the westerly 190 feet of the property was rezoned to commercial, the developer had requested rezoning of the entire parcel. The Plan Commission believed at that time that the front portion should be reserved for a multiple-family residential development consistent with the Comprehensive Plan. The property owner agreed to consider that development. The owner has worked with Bayland Buildings on a number of designs over the last few months in order to find a proposal that would be cost-effective to construct.

Multiple-family residential projects of the type being proposed are now permitted under the revised zoning code. There is no need for a conditional use approval. Other than meeting the basic parameters of the R-4 district (setbacks, parking, etc.) the project can commence if the rezoning is adopted. It is noted, however, that the project would still need approval from the Aesthetic Design & Site Plan Review Board prior to permits being issued.

**Next Steps:** The Plan Commission conducts a public hearing on October 19, 2022. After the hearing the Plan Commission can make its formal recommendation to the Common Council provided that at least  $\frac{3}{4}$  of the members are ready to act upon the petition. Otherwise, the Plan Commission action (recommendation) to approve or reject the petition will wait for the next meeting. Once a recommendation is made, the Common Council will either approve or reject the zoning map amendment. If approved, an ordinance must be adopted by Council with 2 separate readings.

**Recommendation:** Staff recommends approval of the rezoning of the Agricultural (A) zoned portion of the parcel to Multiple-Family Residential (R-4). The westerly 190 feet of the property will remain General Commercial (C-1).

Prepared By:



Martin Olejniczak  
Community Development Director

Oct. 14, 2022

Date

Date Received: 9/7/2022

Fee Paid: \$ 450.00

Received By: CS

# CITY OF STURGEON BAY ZONING/REZONING APPLICATION

	APPLICANT/AGENT	LEGAL PROPERTY OWNER
Name	STEVE ESTES/JASON ESTES	SAME
Company	ESTES INVESTMENTS LLC	
Street Address	4606 BECHTEL RD	
City/State/Zip	STURGEON BAY, WI. 54235	
Daytime Telephone No.	920-493-8663	
Fax No.		

STREET ADDRESS OF SUBJECT PROPERTY: 1361 N. 14<sup>TH</sup> AVE  
Location if not assigned a common address: \_\_\_\_\_

TAX PARCEL NUMBER: 2817032001410C

CURRENT ZONING CLASSIFICATION: AGRICULTURAL

CURRENT USE AND IMPROVEMENTS:  
LARGE STORAGE BUILDING

ZONING DISTRICT REQUESTED: R-4

COMPREHENSIVE PLAN DESIGNATION OF SUBJECT PROPERTY: HIGHER DENSITY / RESIDENTIAL

PROPOSED USE OF SURROUNDING PROPERTY UNDER COMPREHENSIVE PLAN:  
North: HIGHER DENSITY RESIDENTIAL  
South: HIGHER DENSITY RESIDENTIAL  
East: RESIDENTIAL / COMMERCIAL  
West: C-1 COMMERCIAL



**ZONING AND USES OF ADJACENT SURROUNDING PROPERTIES:**

North: SINGLE FAMILY  
South: SINGLE FAMILY  
East: WALMART  
West: COMMERCIAL / STORAGE UNITS

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

BACK 1/2 OF LOT WAS CHANGED TO C-1  
FOR STORAGE UNITS

Attach a full legal description (preferably on disk), 8-1/2" X 11" location map, and Agreement for Reimbursement of expenses.

STEVE EITES  
Property Owner (Print Name)

[Signature]  
Signature

\_\_\_\_\_  
Date

DAVE PHILLIPS  
Applicant/Agent (Print Name)

[Signature]  
Signature

8-31-22  
Date

I, \_\_\_\_\_, 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.

\_\_\_\_\_  
Date of review meeting

\_\_\_\_\_  
Applicant 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

## NOTICE OF PUBLIC HEARING

The City of Sturgeon Bay Plan Commission will hold a public hearing in the Council Chamber at City Hall, 421 Michigan Street, Sturgeon Bay, Wisconsin on Wednesday, October 19, 2022 at 6:00 p.m. or shortly thereafter, in regard to a proposed zoning map amendment to change the zoning classification of an approximately 1.7-acre lot from Agricultural (A) to Multi-Family Residential (R-4). The subject property is parcel no. 281-70-32001410C, which is owned by Estes Investments, LLC and is located at 1361 N. 14<sup>th</sup> Avenue. The proposed zoning map amendment materials are on file with the Community Development Department and can be viewed on the City's website ([www.sturgeonbaywi.org](http://www.sturgeonbaywi.org)) or at City Hall weekdays between 8:00 a.m. and 4:30 p.m. The public is invited to give testimony in regard to the rezoning request either in person at the hearing or in writing.

By order of:

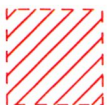
City of Sturgeon Bay Plan Commission



# Location Map

## Zoning Map Amendment

### A to R-4 for 1361 N 14th Avenue



Portion of the subject parcel  
proposed to be rezoned to R-4

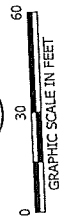
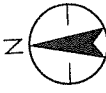
October 14, 2022



# ESTES STORAGE CONDOMINIUM

BEING:  
TRACT 1 OF C.S.M. NUMBER 477,  
RECORDED AT VOLUME 2, PAGE 379 OF CERTIFIED SURVEY MAPS  
AS DOCUMENT NUMBER 545047

LOCATED IN:  
THE WEST 1/2 OF THE SE 1/4 OF SECTION 32,  
TOWNSHIP 28 NORTH, RANGE 26 EAST,  
CITY OF STURGEON BAY,  
DOOR COUNTY,  
WISCONSIN



- 1" FOUND STEEL PIPE
- △ FOUND MAG NAIL
- ⊙ 1" SET STEEL PIPE
- ⤴ LOCATOR
- ( ) - RECORDED AS LOCATORS

NO.	NORTHING	EASTING	NO.	NORTHING	EASTING
1	165119.15	497650.71	19	165184.79	497526.61
2	165390.02	497470.78	20	165184.71	497550.61
3	165296.78	497518.33	21	165184.69	497556.61
4	165296.78	497518.33	22	165184.62	497580.61
5	165296.68	497548.33	23	165184.60	497580.61
6	165296.68	497548.33	24	165184.52	497610.61
7	165296.68	497572.33	25	165184.50	497610.61
8	165296.58	497572.33	26	165184.42	497640.61
9	165296.48	497608.33	27	165337.77	497682.91
10	165296.41	497632.33	28	165337.77	497682.91
11	165260.41	497640.86	29	165170.77	497550.61
12	165260.49	497616.86	30	165170.77	497682.91
13	165260.51	497616.86			
14	165260.59	497586.86			
15	165260.61	497580.86			
16	165260.69	497558.86			
17	165260.71	497558.86			
18	165260.79	497558.86			

I, MICHAEL G. MCCARTY, PROFESSIONAL LAND SURVEYOR FOR STANTEC CONSULTING SERVICES INC., CERTIFY THAT I AM A LICENSED LAND SURVEYOR AND SURVEYOR AUTHORIZED TO PRACTICE THAT I HAVE BEEN AFFIXED TO THIS SURVEY MAP IS A CORRECT REPRESENTATION OF THE CONDOMINIUM DESCRIBED AND THAT THE IDENTIFICATION AND LOCATION OF EACH UNIT AND COMMON ELEMENTS CAN BE DETERMINED FROM THE PLAN.

DATED \_\_\_\_\_

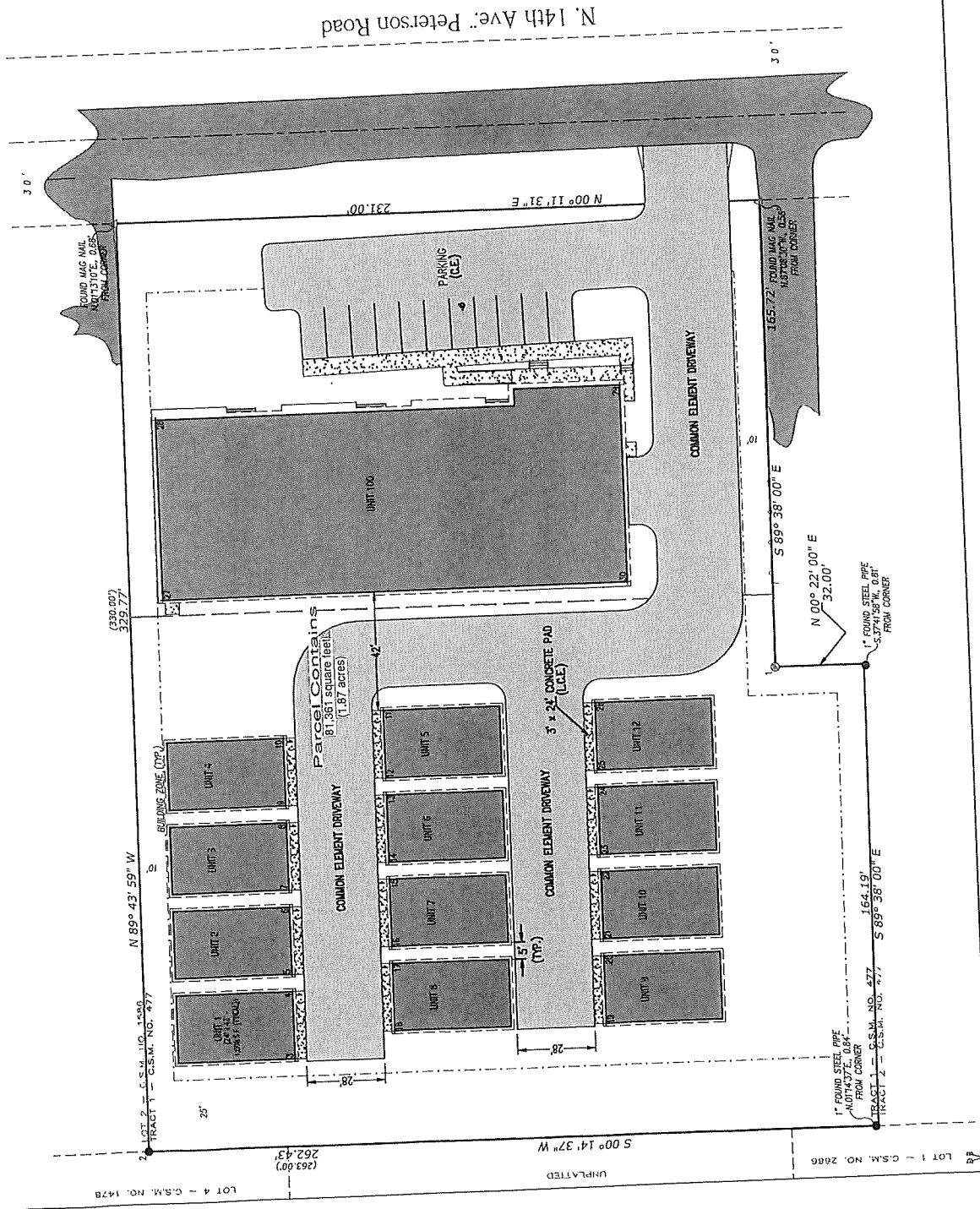
MICHAEL G. MCCARTY S-2298



JOB NO. 16260529  
10-11-22

0402985-20007

SHEET 1 OF 2





PROPOSED BUILDING FOR:  
 21-2336  
 CITY, WISCONSIN, COUNTY OF:

SCALE VERIFICATION  
 1" = 20'-0"

THIS PLAN AND SPECIFICATIONS HAVE BEEN PREPARED BY THE ARCHITECT AND CONTRACTOR FOR THE PROJECT AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THE CITY AND COUNTY. THE ARCHITECT AND CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THE CITY AND COUNTY. THE ARCHITECT AND CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THE CITY AND COUNTY.

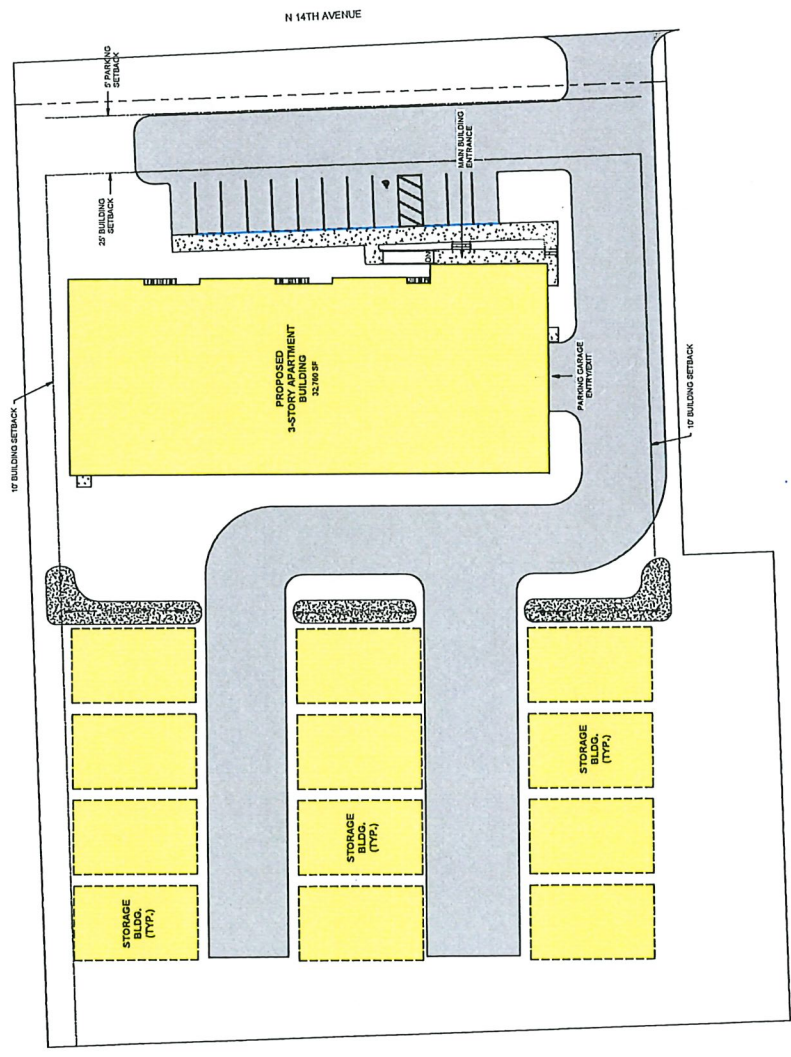
JOB NUMBER: 21-2336  
 PROJECT EXECUTIVE: DAVE PHILLIPS  
 DRAWN BY: CMP  
 DATE: 09/25/2022

REVISIONS:

ISSUED FOR: CHECKED DATE  
 BY:  
☒ PRELIMINARY  
☐ NO SET  
☐ DESIGN REVIEW  
☐ CHECKSET  
☐ CONSTRUCTION

SITE PLAN

C1.0



APARTMENT UNIT TABULATION  
 (1) 2-BEDROOM 644 SF  
 (2) 2-BEDROOM 644 SF  
 (2) 2-BEDROOM + DEN 1,145 SF  
 (2) 1-BEDROOM 608 SF  
 (2) 1-BEDROOM 608 SF  
 (2) TOTAL UNITS 277.52

PARKING TABULATION  
 22 PARKING GARAGE STALLS  
 11 PARKING GARAGE STALLS  
 34 TOTAL PARKING STALLS

SITE PLAN - OVERALL  
 1/32" SCALE = 1" = 20'-0"

PROPOSED BUILDING FOR:  
 21-2336  
 CITY, WISCONSIN; COUNTY OF:

**SCALE VERIFICATION**

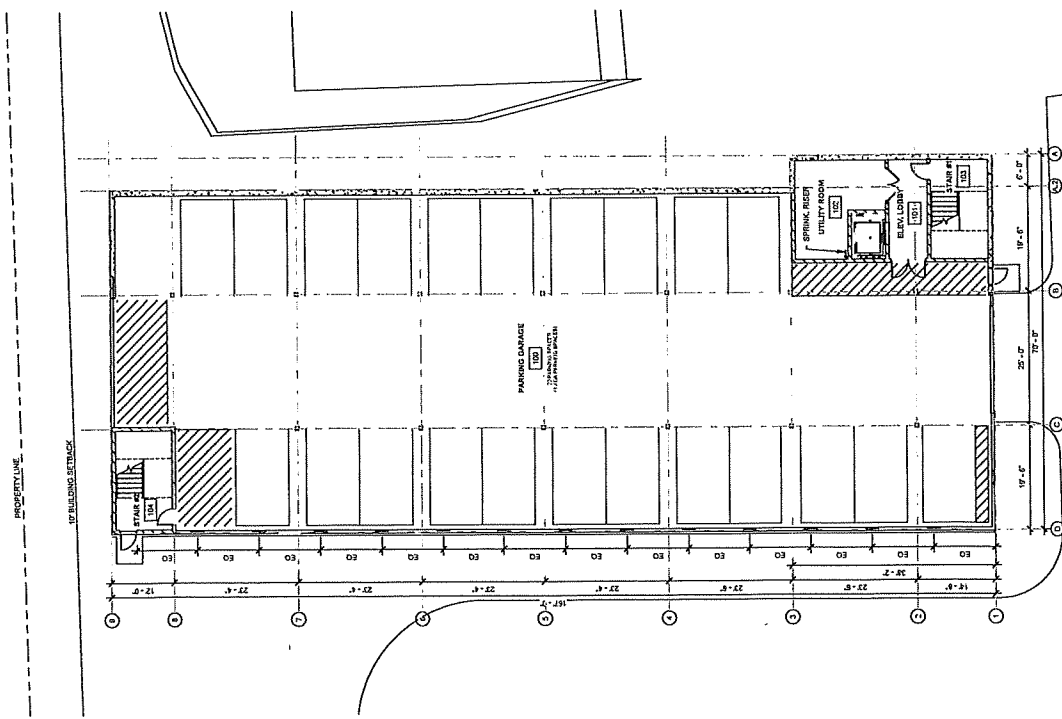
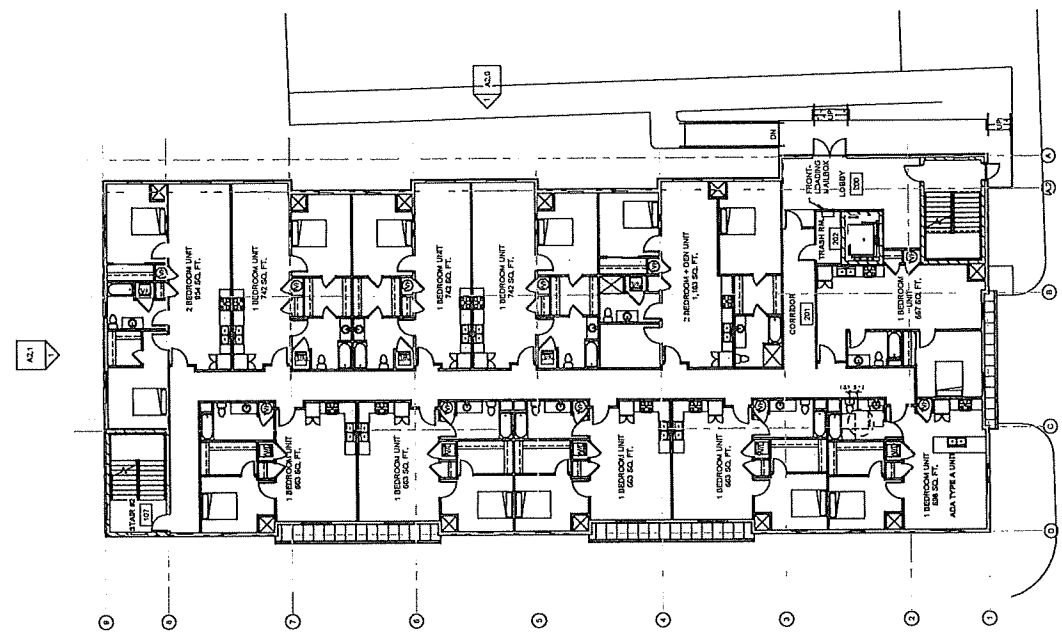
THIS DRAWING AND ALL INFORMATION HEREON ARE THE PROPERTY OF BAYLAND BUILDINGS, INC. AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BAYLAND BUILDINGS, INC. ANY VIOLATION OF THIS NOTICE SHALL BE SUBJECT TO LEGAL ACTION.

JOB NUMBER: 21-2336  
 PROJECT: DAVE PHILLIPS  
 EXECUTIVE: CMP  
 DRAWN BY: CMP  
 DATE: 06/29/2022  
 REVISIONS:

ISSUED FOR:	CHECKED:	DATE:
2 PRELIMINARY	<input checked="" type="checkbox"/>	
NO SET	<input type="checkbox"/>	
DESIGN REVIEW	<input type="checkbox"/>	
CHECKSET	<input type="checkbox"/>	
CONSTRUCTION	<input type="checkbox"/>	

FLOOR PLANS  
**A1.0**

GENERAL NOTES:  
 1. INSTALL SPRINKLER SYSTEM PER DETAIL.  
 2. 2ND-FLOOR - PROTECTED COMBUSTIBLE CONSTRUCTION.  
 3. 2ND-FLOOR - PROTECTED COMBUSTIBLE CONSTRUCTION.  
 4. 2-HOUR FIRE RATED CREOSOTE FLOOR BETWEEN 1ST-2ND FLOORS AND STAIRWELL SHUTTLE.



PROPOSED BUILDING FOR: 21-2336

CITY, WISCONSIN; COUNTY OF:

**SCALE VERIFICATION**

MADE TO ORDER OF CONTRACTOR

**DATE:** 09/29/2022

**PROJECT EXECUTIVE:** DAVE PHILLIPS

**JOB NUMBER:** 71-2336

**DRAWN BY:** CMP

**DATE:** 09/29/2022

**REVISIONS:**

**SCALE VERIFICATION**  
THIS SCALE MEASURES 1" ON ORIGINAL.

PROJECT: DAVE PHILLIPS  
 EXECUTIVE: DAVE PHILLIPS  
 DRAWN BY: CMP  
 DATE: 09/29/2022  
 REVISIONS:

ISSUED FOR: CHECKED DATE:  
BY:

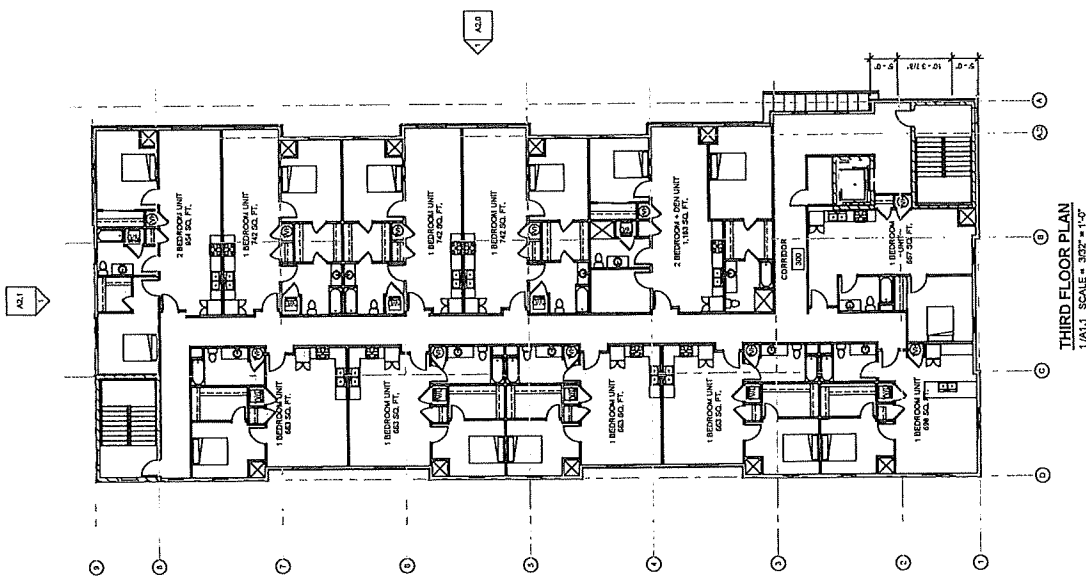
☒ PRELIMINARY  
☐ BID SET  
☐ DESIGN REVIEW  
☐ CHECKSET  
☐ CONSTRUCTION

**GENERAL NOTES:**

1. INSTALL NFPA 13R SPRINKLER SYSTEM THROUGHOUT.
2. 2ND FLOOR - NON-COMBUSTIBLE CONSTRUCTION ONLY.
3. 2ND-FLOOR ROOF - PROTECTED COMBUSTIBLE CONSTRUCTION WITH 1-HOUR FIRE RATED BEARING WALLS, FLOORS, & ROOF.
4. 3-HOUR FIRE RATED CEILING/FLOOR BETWEEN 1ST-2ND FLOORS AND STAIR/ELEVATOR SHAFTS.

FLOOR PLANS

A1.1



SCALE/VERIFICATION  
DATE: 09/26/2022

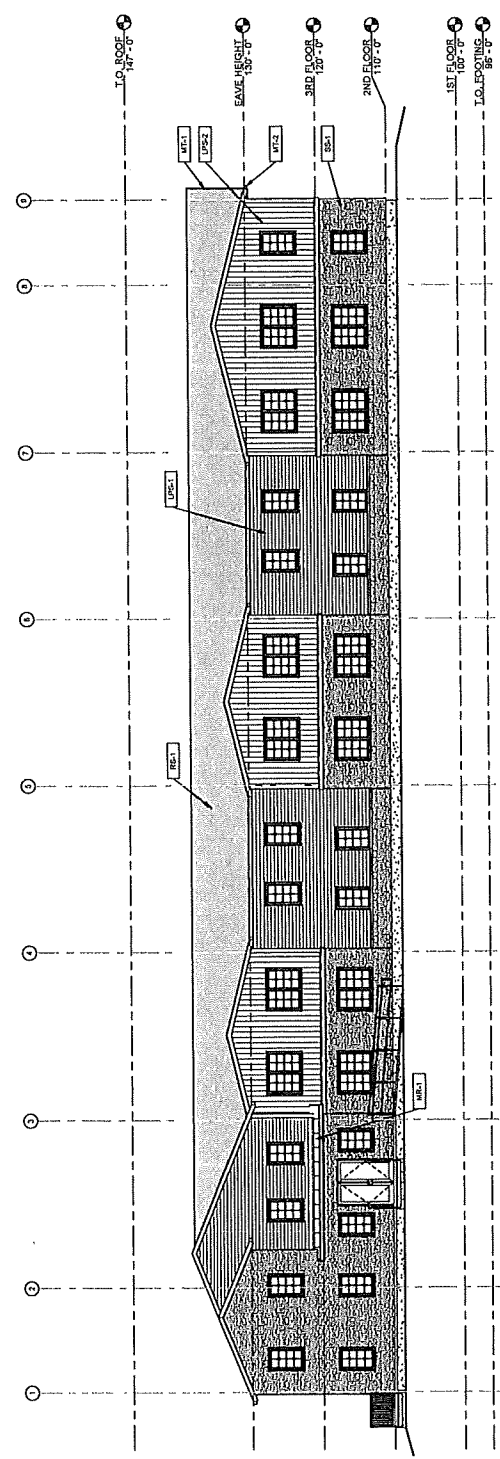
PROJECT: DAVE PHILLIPS  
EXECUTIVE: DAVE PHILLIPS  
DRAWN BY: CMP  
DATE: 09/26/2022  
REVISIONS:

ISSUED FOR: CHECKED DATE  
BY:  
☒ PRELIMINARY  
☐ NO SET  
☐ DESIGN REVIEW  
☐ CHECKSET  
☐ CONSTRUCTION

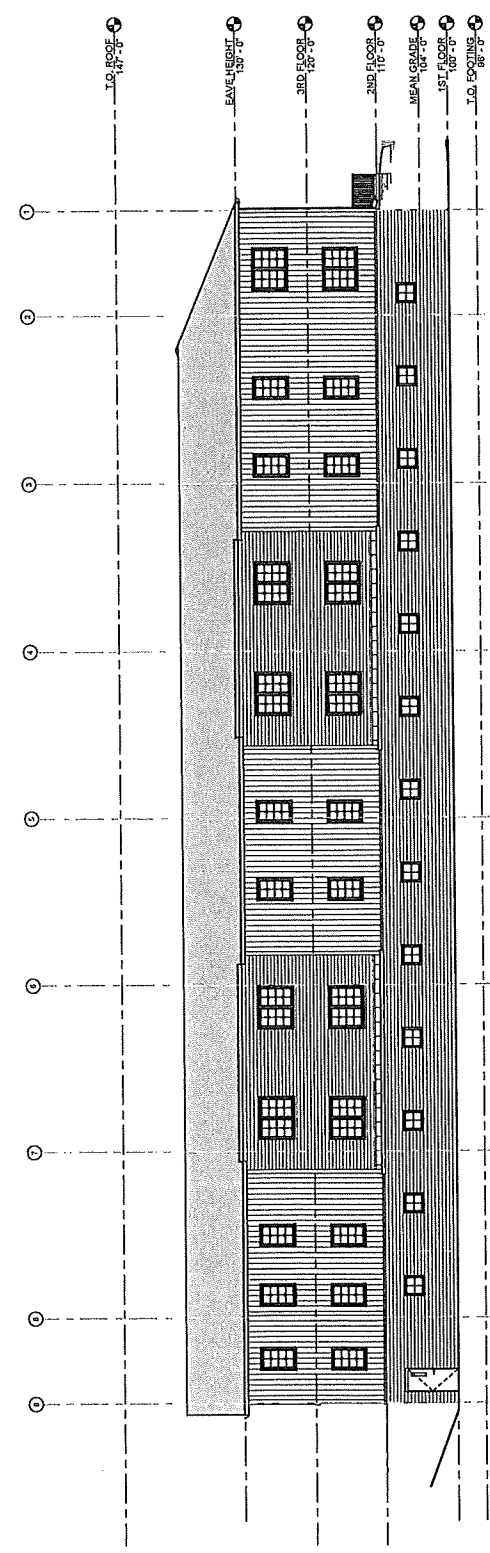
EXTERIOR ELEVATIONS  
A2.0

EXTERIOR FINISH LEGEND

- | MARK | DESCRIPTION   |
|------|---|
| EP-1 | LOCATION: HORIZ. EXTERIOR SIDING<br>MATERIAL: 1/2" ASPEN SHINGLES<br>COLOR: VERITY<br>COMMENTS: |
| EP-2 | LOCATION: VERT. EXTERIOR SIDING<br>MATERIAL: 1/2" ASPEN SHINGLES<br>COLOR: VERITY<br>COMMENTS:  |
| CS-1 | LOCATION: CEDAR SHAKES<br>MATERIAL: CEDAR SHAKES<br>COLOR: VERITY<br>COMMENTS:                  |
| MC-1 | LOCATION: MASON TIES & SPOUTS<br>MATERIAL: MASON TIES & SPOUTS<br>COLOR: VERITY<br>COMMENTS:    |
| MT-2 | LOCATION: RAKE OUTLETS & TRIMS<br>MATERIAL: RAKE OUTLETS & TRIMS<br>COLOR: VERITY<br>COMMENTS:  |
| ES-1 | LOCATION: STONE VENT<br>MATERIAL: STONE VENT<br>COLOR: VERITY<br>COMMENTS:                      |
| RP-1 | LOCATION: ROOF BRIDGES<br>MATERIAL: ROOF BRIDGES<br>COLOR: VERITY<br>COMMENTS:                  |
| MB-1 | LOCATION: WALL PANEL<br>MATERIAL: 20A SEMI-CONCEALED<br>COLOR: VERITY<br>COMMENTS:              |
| MP-1 | LOCATION: ROOF PANEL<br>MATERIAL: 20A SEMI-CONCEALED<br>COLOR: VERITY<br>COMMENTS:              |



BUILDING ELEVATION - EAST  
1/4\"/>

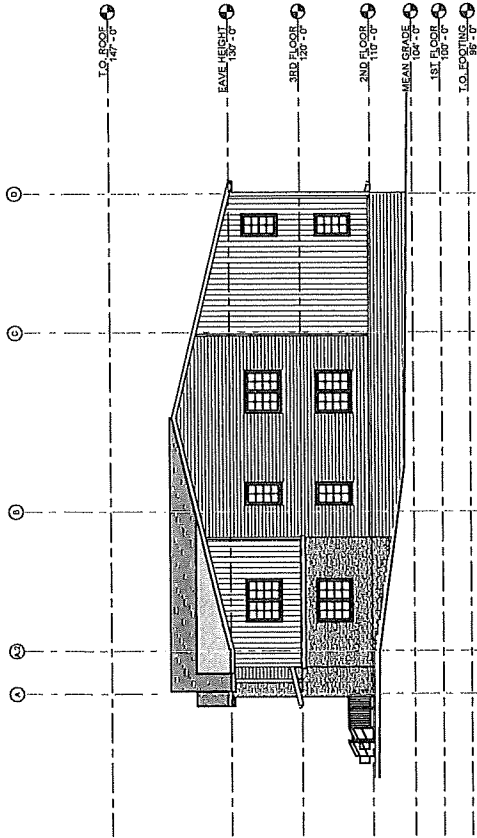


BUILDING ELEVATION - WEST  
2/4\"/>

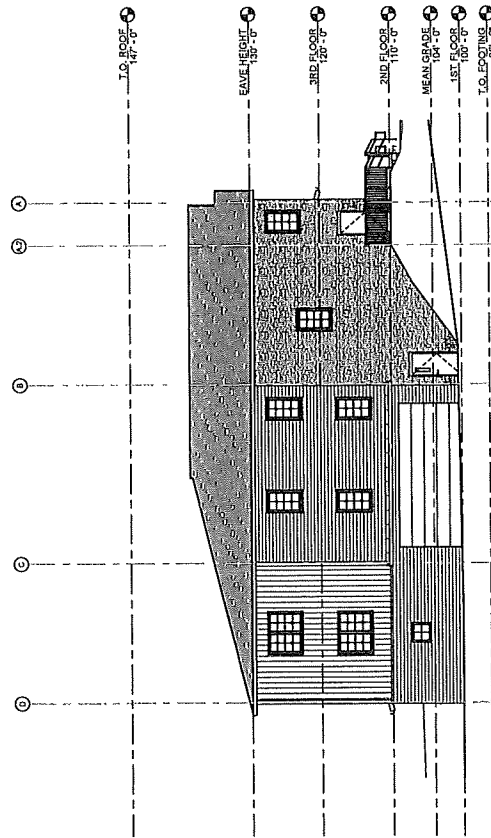


**EXTERIOR FINISH LEGEND**

MARK	DESCRIPTION
UP-1	LOCATION: HORIZ. EXTERIOR SIDING MATERIAL: PLYMOUTH SUPPLIER: PLYMOUTH COLOR: VERITY
UP-2	LOCATION: VERT. EXTERIOR SIDING MATERIAL: PLYMOUTH SUPPLIER: PLYMOUTH COLOR: VERITY
CS-1	LOCATION: CEDAR SHAKES MATERIAL: CEDAR SHAKES SUPPLIER: VERITY COLOR: VERITY
MT-1	LOCATION: TRIM & SOFFITS MATERIAL: PLYMOUTH SUPPLIER: VERITY COLOR: VERITY
MT-2	LOCATION: NAME GUTTERS & TRIMS MATERIAL: PLYMOUTH SUPPLIER: VERITY COLOR: VERITY
ES-1	LOCATION: STONE VENEER MATERIAL: ARTISAN CUT STONE SUPPLIER: VERITY COLOR: VERITY
RE-1	LOCATION: ROOF SHINGLES MATERIAL: ASPHALT SINGLE SUPPLIER: VERITY COLOR: VERITY
WS-1	LOCATION: WALL PANELS MATERIAL: 2X6 SIPS CONCEALED SUPPLIER: VERITY COLOR: VERITY
MF-1	LOCATION: SOFFIT PANEL MATERIAL: PLYMOUTH SUPPLIER: VERITY COLOR: VERITY



**BUILDING ELEVATION - NORTH**  
1/42.1 SCALE = 1/8" = 1'-0"



**BUILDING ELEVATION - SOUTH**  
2/42.1 SCALE = 1/8" = 1'-0"

PROPOSED BUILDING FOR:  
21-2336  
CITY, WISCONSIN; COUNTY OF:

**SCALE VERIFICATION**

1" = 10'-0"

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PROJECT: 21-2336  
EXECUTIVE: DAVE PHILLIPS  
DRAWN BY: CHP  
DATE: 09/29/2022  
REVISIONS:

ISSUED FOR: CHECKED DATE:  
BY:  
☒ PRELIMINARY  
☐ NO SET  
☐ DESIGN REVIEW  
☐ CHECKSET  
☐ CONSTRUCTION

EXTERIOR ELEVATIONS

**A2.1**

## ORDINANCE NO. \_\_\_\_\_

An Ordinance to Rezone a Portion of Parcel #281-70-32001410C  
located at 1361 N. 14<sup>th</sup> Avenue.

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

SECTION 1: The following described property located at 1361 N. 14<sup>th</sup> Avenue is hereby  
rezoned from Agricultural (A) to Multiple-Family Residential (R-4):

**Parcel No. 281-70-32001410C located at 1361 N. 14<sup>th</sup> Avenue.**

A tract of land located in the East ½ of the Southeast ¼ of Section 32,  
Township 28 North, Range 26 East, City of Sturgeon Bay, Door County,  
Wisconsin being Tract 1 of Certified Survey No. 477 recorded as Document  
No. 545047 in Volume 2 of Certified Surveys, Page 379, excepting  
therefrom the following described tract:

Commencing at the northwest corner of said Tract 1 of Certified Survey No.  
477, thence S 00°00'45" W 263.00 feet to the southwest corner of said Tract  
1, thence along the southerly line of said Tract 1 as follows, S 89°48'46" E  
164.18 feet, N 00°11'14" E 32.00 feet, and S 89°48'46" E 25.72 feet, thence  
N 00°00'45" E 231.00 feet to the intersection with the northerly line of said  
Tract 1, thence N 89°48'46" W 190.00 feet to the point of commencement,  
containing 49,145 square feet (1.128 acres) of land.

Tract to be re-zoned contains 32,344 square feet (0.743 acres) of land

SECTION 2: This ordinance shall take effect on the day after its publication.

Approved:

\_\_\_\_\_  
David Ward  
Mayor

Attest:

\_\_\_\_\_  
Stephanie Reinhardt  
City Clerk