



**CITY OF STURGEON BAY COMMON COUNCIL AGENDA  
TUESDAY, MARCH 19, 2024  
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 – \$413,152.81, Capital Fund - \$33,930.58, Cable TV - \$50.85, TID #6 - \$22,181.25, TID #2 - \$94,049.00, TID #3 - \$19,750.00, TID #4 - \$38,618.75, TID #10 - \$385.00, Solid Waste Enterprise Fund - \$20,527.76 and Compost Site Enterprise Fund - \$110.39 for a grand total of \$642,756.39. [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 3/5/24 regular Common Council minutes.

\* b. Place the following minutes on file:

- (1) Community Protection & Services Committee – 2/7/24
- (2) City Plan Commission – 2/21/24
- (3) Aesthetic Design & Site Plan Review Board – 2/26/24
- (4) Zoning Board of Appeals – 2/27/24
- (5) Police & Fire Commission – 2/28/24
- (6) Finance/Purchasing & Building Committee – 3/5/24
- (7) Harbor Commission – 3/13/24

\* c. Place the following reports on file:

- (1) Purchase of Used Vehicle Report – February 2024
- (2) Police Department Report – February 2024
- (3) Bank Reconciliation – December 2023
- (4) Revenue & Expense Report – December 2023
- (5) Bank Reconciliation – February 2024
- (6) Revenue & Expense Report – February 2024

\* d. Consideration of: Approval of Combination Class B Beer and Class B Liquor license for Cherry Lanes Arcade Bard, LLC (surrender of license to new owner for sale of property.)

- \* e. Consideration of: Approval of Commercial Quadricycle License for Foxy Pedaler.
  - \* f. Consideration of: Approval of Street Closure Application for Sturgeon Bay Farmers Market (Saturdays from June 1, 2024 – October 12, 2024.)
  - \* g. Community Protection & Services Committee recommendation re: Approve Changes to Section 8.06 Obstruction and Encroachments of the Municipal Code and Finance/Purchasing & Building Committee review fees.
8. Mayoral Appointments.
  9. Finance/Purchasing & Building Committee recommendation re: Approve Concept A & B from Edgewater Resources for City property along Nautical Drive.
  10. Harbor Commission recommendation re: Approve the 2024 Harbor Improvement Plan.
  11. Second reading of ordinance re: Rezone parcel 281-62-40000101A located on the southeast corner of Utah St. and S. 18<sup>th</sup> Ave.
  12. Second reading of ordinance re: Rezone parcel 281-62-11000109 located at south side of Alabama Street.
  13. Second reading of ordinance re: Repeal and recreate Chapter 23 – Floodplain Zoning Code.
  14. First reading of ordinance re: Repeal and recreation Section 8.06(2) “Streets and Sidewalks – Obstructions and Encroachments”.
  15. City Administrator report.
  16. Mayor’s report.
  17. Adjourn.

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.

Posted:

Date: 3-15-24

Time: 12:00pm

By: UM

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 03/19/2024

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
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GENERAL FUND				
GENERAL FUND				
LIABILITIES				
R0001821	JOHN HEIKKILA	DEPOSIT REFUND/HEIKKILA	01-000-000-23168	50.00
		TOTAL LIABILITIES		50.00
01764	2017 CAPITAL PROJECTS & EQUIP ASSOCIATED WEALTH MANAGEMENT	04/24 2017 CAPITAL	01-000-901-70001	10,961.25
		TOTAL 2017 CAPITAL PROJECTS & EQUIP		10,961.25
01764	2023 CAPITAL PROJ & EQUIP ASSOCIATED WEALTH MANAGEMENT	04/24 GO PROM NOTE 8.22.23 CAP	01-000-903-70001	67,677.09
		TOTAL 2023 CAPITAL PROJ & EQUIP		67,677.09
01764	2018 CAPITAL PROJ & EQ ASSOCIATED WEALTH MANAGEMENT	04/24 2018 CAP PROJ/EQUIP	01-000-904-70001	7,265.63
		TOTAL 2018 CAPITAL PROJ & EQ		7,265.63
01764	2019 CAPITAL EQUIP & PROJ ASSOCIATED WEALTH MANAGEMENT	04/24 2019 CAP PROJ	01-000-906-70001	9,900.00
		TOTAL 2019 CAPITAL EQUIP & PROJ		9,900.00
01764	2020 CAPITAL PROJ & EQUIPMENT ASSOCIATED WEALTH MANAGEMENT	04/24 2020 CAPITAL	01-000-907-70001	20,800.00
		TOTAL 2020 CAPITAL PROJ & EQUIPMENT		20,800.00
01764	2021 CAPITAL PROJ & EQUIPMENT ASSOCIATED WEALTH MANAGEMENT	04/24 2024 CAP PROJ 9.7.21	01-000-908-70001	12,538.98
		TOTAL 2021 CAPITAL PROJ & EQUIPMENT		12,538.98
01764	2022 CAPITAL PROJ & EQUIPMENT ASSOCIATED WEALTH MANAGEMENT	04/24 2022 CAPITAL PROJECTS	01-000-909-70001	48,900.00
		TOTAL 2022 CAPITAL PROJ & EQUIPMENT		48,900.00
01764	CITY HALL / FIRE & POLICE STN ASSOCIATED WEALTH MANAGEMENT	04/24 RFND BOND-GF BLDG	01-000-920-70001	5,625.00
		TOTAL CITY HALL / FIRE & POLICE STN		5,625.00
01764	EGG HARBOR RD IMP/DES ASSOCIATED WEALTH MANAGEMENT	04/24 EGG HRBR RD	01-000-976-70001	3,285.00
		TOTAL EGG HARBOR RD IMP/DES		3,285.00
		TOTAL GENERAL FUND		187,002.95
LAW/LEGAL				
AMUNDSEN	AMUNDSEN DAVIS, LLC	10/23 PFC BYLAW REVIEW	01-110-000-55010	208.00
AMUNDSEN		01/24 GENERAL LEGAL MATTERS	01-110-000-55010	1,980.00
		TOTAL		2,188.00
		TOTAL LAW/LEGAL		2,188.00
CITY CLERK-TREASURER				
04650	DOOR COUNTY REGISTER OF DEEDS	DEED/PLAT/CSM RECORDING GENEVA	01-115-000-56350	110.00
04650		COPY FEES-DEED/ANNA'S-W TONG	01-115-000-56350	5.50
		TOTAL		115.50
		TOTAL CITY CLERK-TREASURER		115.50

INVOICES DUE ON/BEFORE 03/19/2024

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
COMPUTER				
HEARTBUS	HEARTLAND BUSINESS SYSTEMS, LLC	COMMUNITY ROOM LECTERN	01-125-000-55550	2,634.73
		TOTAL		2,634.73
		TOTAL COMPUTER		2,634.73
BUILDING/ZONING CODE ENFORCEMT				
ISLLC	INSPECTION SPECIALISTS, LLC	02/24 BUILDING PERMITS	01-140-000-55010	3,419.00
		TOTAL		3,419.00
		TOTAL BUILDING/ZONING CODE ENFORCEMT		3,419.00
Engineering				
REINHARD	REINHARDT COLLISION CENTER	INSURANCE DEDUCT/CHAD S CAR	01-145-000-58999	1,000.00
		TOTAL		1,000.00
		TOTAL Engineering		1,000.00
CITY HALL				
03159	SPECTRUM ENTERPRISES-	02/24 FIRE CABLE SVC	01-160-000-58999	167.82
03159		02/24 FIRE CABLE SVC	01-160-000-58999	229.45
04575	DOOR COUNTY HARDWARE	TRAY LINERS	01-160-000-51850	3.59
04575		FASTENERS	01-160-000-51850	4.76
19880	STURGEON BAY UTILITIES	421 MICHIGAN ST	01-160-000-56150	2,058.98
19880		421 MICHIGAN ST	01-160-000-58650	237.58
WARNER	WARNER-WEXEL LLC	HARDWOUND TOWELS	01-160-000-51850	55.78
WARNER		2 PLY TISSUE	01-160-000-51850	40.81
WARNER		PREMIUM TP	01-160-000-51850	55.38
WARNER		KITCHEN TOWELS	01-160-000-51850	31.05
WARNER		VANILLA SPRAY	01-160-000-51850	98.28
		TOTAL		2,983.48
		TOTAL CITY HALL		2,983.48
INSURANCE				
MCCLONE	MCCLONE AGENCY, INC	04/24 WORK COMP	01-165-000-58750	12,702.00
MCCLONE		04/24 GEN LIABILITY	01-165-000-56400	2,752.66
MCCLONE		04/24 POLICE PROF LIABILITY	01-165-000-57150	1,481.67
MCCLONE		04/24 PUBLIC OFFCL LIABILITY	01-165-000-57400	2,469.67
MCCLONE		04/24 AUTO LIABILITY	01-165-000-55200	1,574.42
MCCLONE		04/24 AUTO PHYSICAL DAMAGE	01-165-000-55200	2,790.33
MCCLONE		04/24 CRIMES & BONDS	01-165-000-55450	115.33
MCCLONE		04/24 CYBER	01-165-000-55450	293.17
		TOTAL		24,179.25
		TOTAL INSURANCE		24,179.25
GENERAL EXPENDITURES				
CEDARCO	CEDAR CORPORATION	PEDESTRIAN TRAIL	01-199-000-57000	627.50
WIPFLI	WIPFLI LLP	PROGRESS BILL 12.31.23 AUDIT	01-199-000-55150	16,000.00
		TOTAL		16,627.50
		TOTAL GENERAL EXPENDITURES		16,627.50



INVOICES DUE ON/BEFORE 03/19/2024

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
POLICE DEPARTMENT/PATROL				
03133	CELLCOM WISCONSIN RSA 10	02/24 CRADLEPOINT PORT SEC CAM	01-215-000-58999	54.78
04575	DOOR COUNTY HARDWARE	HAMMER	01-215-000-54999	25.99
04696	DOOR COUNTY TREASURER	02/24 FUEL	01-215-000-51650	3,480.34
15890	PACK AND SHIP PLUS	SHIPPING BOX	01-215-000-54999	2.75
19580	STREICHERS PROF POLICE EQUIP	AMMUNITION	01-215-000-51050	732.00
19880	STURGEON BAY UTILITIES	SUNSET PRK BT LAUNCH	01-215-000-56150	20.63
19880		110 S NEENAH AVE CAMERA	01-215-000-56150	17.50
19880		SHORECREST RD CAMERA	01-215-000-56150	17.17
NELSON	NELSON & ASSOCIATES LLC	HOLSTER/ENGEBOS	01-215-000-52900	134.99
NELSON		UNIFORM/MCAVOY	01-215-000-52900	304.99
NELSON		UNIFORM/MCAVOY	01-215-000-52900	64.93
PATRIOT	PATRIOT MOTOR STURGEON BAY LLC	SQ 80 MAINTENANCE	01-215-000-58600	127.52
PATRIOT		EXPLORER MAINTENANCE	01-215-000-58600	302.85
PATRIOT		SQ 80 MAINTENANCE	01-215-000-58600	134.01
PATRIOT		CSO VEH MAINTENANCE	01-215-000-58600	99.95
PATRIOT		CSO VEH MAINTENANCE	01-215-000-58600	590.95
PATRIOT		SQ 50 MAINTENANCE	01-215-000-58600	49.95
PSYCHOLO	PSYCHOLOGIE CLINIQUE S.C	FOLLOW UP EVAL/VANEREM	01-215-000-57100	250.00
WI SPILL	WISCONSIN SPILLMAN USERS GROUP	INSIGHT SERVER DUES/HOUGAARD	01-215-000-58999	25.00
WI SPILL		ANML MEMBER DUES/HOUGAARD	01-215-000-58999	50.00
ZACH	JAKE ZACH	FUEL REIMBURSE/ZACH	01-215-000-51650	38.06
TOTAL				6,524.36
TOTAL POLICE DEPARTMENT/PATROL				6,524.36
POLICE DEPT. / INVESTIGATIONS				
ACCURINT	LEXISNEXIS RISK SOLUTIONS	02/24 CONTRACT FEE	01-225-000-57950	105.00
TOTAL				105.00
TOTAL POLICE DEPT. / INVESTIGATIONS				105.00
FIRE DEPARTMENT				
FIRE DEPARTMENT				
04575	DOOR COUNTY HARDWARE	FASTENERS	01-250-000-54999	2.38
04575		TUBING/FASTENERS/CONNECTR	01-250-000-54999	12.98
04575		FASTENERS/CONNECTOR	01-250-000-54999	7.59
04575		O RINGS	01-250-000-54999	1.98
04575		PUMP CONDNST	01-250-000-54999	59.99
04575		PAINT MARKERS/PUSH SWITCH	01-250-000-54999	27.56
04575		TOG SWITCH/TOGGLE	01-250-000-54999	14.98
04575		THREAD TAPE/ GALV NIPPLES	01-250-000-54999	48.97
04575		COUPLING	01-250-000-54999	9.99
15890	PACK AND SHIP PLUS	SHIPPING RETURN TO BUMPERCHUTE	01-250-000-54999	54.05
17250	QUALITY STATE OIL CO., INC.	OIL	01-250-000-53000	485.24
19880	STURGEON BAY UTILITIES	MARTIN PARK RESTROOM	01-250-000-56675	9.00
19880		421 MICHIGAN ST	01-250-000-56675	189.00
19880		TRUCK FILL	01-250-000-56675	59.00
19880		MEM FLD WARMING HOUSE	01-250-000-56675	71.00
19880		835 N 14TH AVE	01-250-000-56675	71.00
19880		GARLAND PARK	01-250-000-56675	9.00
19880		SUNSET CONSN CNTR	01-250-000-56675	71.00
19880		FRANK GRASSE MEM SHELTER	01-250-000-56675	22.00
19880		OTUMBA PARK	01-250-000-56675	9.00
19880		WS WARMING HOUSE	01-250-000-56675	9.00
19880		WS FIRE STATION	01-250-000-56675	71.00
19880		WS FIRE STATION	01-250-000-56150	98.50
19880		WS FIRE STATION	01-250-000-58650	101.68
19880		NEENAH AVE PAVILLION	01-250-000-56675	9.00
19880		S NEENAH RESTROOM	01-250-000-56675	45.00
19880		WS BALLFLD LIGHTS	01-250-000-56675	45.00
19880		GIRLS LITTLE LEAGUE	01-250-000-56675	71.00
19880		FIRE TRAINING SITE	01-250-000-56675	9.00
19880		FIRE TRAINING SITE	01-250-000-56150	13.39
19880		QUINCY ST BALLFLD	01-250-000-56675	71.00

INVOICES DUE ON/BEFORE 03/19/2024

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
FIRE DEPARTMENT				
FIRE DEPARTMENT				
19880		PENNSYLVANIA ST DOCK	01-250-000-56675	22.00
19880		92 E MAPLE ST DOCK	01-250-000-56675	9.00
19880		1 ST AVE MARINA/RESTROOM	01-250-000-56675	71.00
19880		KENTUCKY ST CITY RAMP	01-250-000-56675	9.00
19880		KENTUCKY ST CITY MARINA	01-250-000-56675	71.00
19880		SIGN SHED	01-250-000-56675	9.00
19880		CHERRY BLOSSOM PARK	01-250-000-56675	22.00
LYNCHRA	RANDALL LYNCH	EYE GLASSES REMBURSE/R LYNCH	01-250-000-52900	253.50
TOTAL FIRE DEPARTMENT				2,245.78
TOTAL FIRE DEPARTMENT				2,245.78
LARGE ITEM PICKUP / LEAF COLL				
GFLENVIR	GFL ENVIRONMENTAL, INC	2.06 TN CONSTRUCTION DEBRIS	01-311-000-58400	149.04
TOTAL				149.04
TOTAL LARGE ITEM PICKUP / LEAF COLL				149.04
SNOW REMOVAL				
SNOW REMOVAL				
13655	MONROE TRUCK EQUIPMENT, INC	SALTER CHAIN	01-410-000-51400	938.80
13655		CONNECTOR LINK	01-410-000-51400	76.02
13655		SHIPPING	01-410-000-51400	27.55
MACQUEEN	MACQUEEN EQUIPMENT, LLC	SPROCKET	01-410-000-51400	211.76
MACQUEEN		SHIPPING	01-410-000-51400	84.40
TOTAL SNOW REMOVAL				1,338.53
TOTAL SNOW REMOVAL				1,338.53
STREET MACHINERY				
04545	DOOR COUNTY COOPERATIVE/NAPA	POWER STEER PUMP SHAFT BEARING	01-450-000-53000	7.54
04545		LED LIGHT	01-450-000-53000	35.39
04545		CREDIT-BEARING	01-450-000-53000	-7.54
04545		EFI RELAY	01-450-000-53000	8.77
04545		FUEL FILTER	01-450-000-53000	12.00
04545		CASE GREASE	01-450-000-52150	149.50
04545		CONNECTOR/BOND WIRE/LED KIT	01-450-000-52150	121.93
04575	DOOR COUNTY HARDWARE	FASTENERS	01-450-000-53000	10.43
04575		KNOT CUP BRUSH	01-450-000-52150	17.99
04575		ORBIT SANDER	01-450-000-52700	74.00
04575		SAND DISCS/HOLE HOOK	01-450-000-52700	39.96
04575		FILTER BAG/CARTRIDGE FILTER	01-450-000-52700	43.98
04575		ADHESIVE GUNK REMOVER	01-450-000-52150	7.59
04575		SPRING SNAP	01-450-000-52150	22.32
04575		SOCKET ADAPTER	01-450-000-52700	11.98
04575		NOZZLE/QUICK COUPLER	01-450-000-51400	19.98
04575		TAPE MEASURE	01-450-000-52700	23.99
ADVAUTO	GENERAL PARTS DISTRIBTION LLC	FUEL CQBLU	01-450-000-52150	29.04
ADVAUTO		FILTER	01-450-000-53000	20.12
ADVAUTO		COOLANT/SUPPLIES	01-450-000-52150	55.75
ADVAUTO		SIDE BLB DUAL DRMTR	01-450-000-53000	22.74
ADVAUTO		BEARINGS	01-450-000-53000	299.98
ADVAUTO		CAR WASH CONCENTRATE	01-450-000-53000	37.25
O'REILLY	O'REILLY AUTO PARTS-FIRST CALL	PRESS TESTER	01-450-000-53000	57.99
O'REILLY		WIRE SET/IRIDIUM	01-450-000-53000	122.61
O'REILLY		MUFFLER CLAMP	01-450-000-53000	9.45
O'REILLY		5.25 OZ FUEL TR	01-450-000-53000	6.99
O'REILLY		MODULE ASM	01-450-000-53000	157.57
O'REILLY		FUEL FILTER/FUEL HOSE	01-450-000-53000	9.62
TOTAL				1,428.92

INVOICES DUE ON/BEFORE 03/19/2024

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
GENERAL FUND				
STREET MACHINERY				
TOTAL STREET MACHINERY				1,428.92
CITY GARAGE				
04575	DOOR COUNTY HARDWARE	PAINT/SPACKLE	01-460-000-55300	72.97
04575		PAINTERS TAPE/BRUSH/TRAY SET	01-460-000-55300	41.56
04575		FLRSCRPER BLADE/FLR SCRAP TILE	01-460-000-52700	44.58
04575		PVC GROUND CONN 3 WIRE	01-460-000-51850	20.97
04575		WALLBOARD ANCHOR	01-460-000-55300	4.59
04575		PAINT EATER DISC	01-460-000-55300	31.98
06012	FASTENAL COMPANY	WELDING WIRE	01-460-000-54999	197.01
19880	STURGEON BAY UTILITIES	SALT SHED	01-460-000-56150	13.39
19880		835 N 14TH AVE	01-460-000-56150	803.76
19880		835 N 14TH AVE	01-460-000-58650	97.12
AMERWELD	AMERICAN WELDING & GAS, INC	MONTHLY GAS BOTTLE FEE	01-460-000-58999	158.25
TOTAL				1,486.18
TOTAL CITY GARAGE				1,486.18
HIGHWAYS - GENERAL				
19880	STURGEON BAY UTILITIES	808 S DULUTH AVE SIGN	01-499-000-58000	16.85
19880		EGG HRBR RD TRFFC LITE	01-499-000-58000	26.90
19880		N 14TH & EGG HRBR TRFFC LITE	01-499-000-58000	34.70
19880		TRFFC WARNING LGHTS/SPEED SIGN	01-499-000-58000	8.25
19880		MADISON AVE TRAFFC LIGHTS	01-499-000-58000	126.61
19880		342 ORNAMENTAL ST LIGHTS	01-499-000-58000	5,030.28
19880		595 OVERHEAD ST LIGHTS	01-499-000-58000	6,620.36
19880		S LANSING & W WALNUT SIGN	01-499-000-58000	9.24
19880		1ST AVE EAST SIDE DOCK	01-499-000-58000	39.27
19880		OLD HWY RD SIGN	01-499-000-58000	17.07
YOUNK	RYAN YOUNK	SAFETY BOOTS/R YOUNK	01-499-000-56800	102.33
TOTAL				12,031.86
TOTAL HIGHWAYS - GENERAL				12,031.86
PARK & RECREATION ADMIN				
PULSE	PENINSULA PULSE	EMPLOYMENT ADVERTISING	01-500-000-57450	228.24
TOTAL				228.24
TOTAL PARK & RECREATION ADMIN				228.24
PARKS AND PLAYGROUNDS				
04575	DOOR COUNTY HARDWARE	WIRE BRUSHES	01-510-000-52700	4.59
04575		FASTENERS	01-510-000-51900	15.56
04575		PLIERS SET	01-510-000-52700	1.99
04575		PAINT THINER/PAINT CONTAINER	01-510-000-52100	23.16
04575		SCRUB BRUSH	01-510-000-51850	4.59
04575		CHAIN/COUPLE INSERT	01-510-000-51850	9.76
04575		CREDIT RETURN	01-510-000-51850	-1.79
04575		ROTARY ACCESSORY KIT	01-510-000-52700	44.99
04575		HARDENR/EPOXY/GLUE BRUSHES	01-510-000-51850	141.56
04575		CREDIT RETURN	01-510-000-51850	-9.99
04575		FASTENERS	01-510-000-56250	20.99
04575		FASTENERS/TAPPER BIT	01-510-000-51900	14.59
06012	FASTENAL COMPANY	HARDWARE	01-510-000-54999	12.83
19880	STURGEON BAY UTILITIES	MICHIGAN ST CHARGING STATION	01-510-000-56150	74.64
19880		MARTIN PARK PAVILLION	01-510-000-56150	17.82
19880		MARTIN PARK RESTROOM	01-510-000-58650	10.45

INVOICES DUE ON/BEFORE 03/19/2024

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
GENERAL FUND				
PARKS AND PLAYGROUNDS				
19880		MEM FLD WARMING HOUSE	01-510-000-56150	56.98
19880		MEM FLD WARMING HOUSE	01-510-000-58650	62.28
19880		GARLAND PARK	01-510-000-56150	13.39
19880		GARLAND PARK	01-510-000-58650	10.45
19880		SUNSET CONSN CNTR	01-510-000-56150	213.98
19880		SUNSET CONSN CNTR	01-510-000-58650	61.40
19880		FRANK GRASSE MEM SHELTER	01-510-000-56150	15.44
19880		FRANK GRASSE MEM SHELTER	01-510-000-58650	15.45
19880		OTUMBA PARK	01-510-000-56150	14.91
19880		OTUMBA PARK	01-510-000-58650	3.45
19880		WS WARMING HOUSE	01-510-000-56150	120.66
19880		WS WARMING HOUSE	01-510-000-58650	20.64
19880		MADISON AVE CHARGING STATION	01-510-000-56150	45.95
19880		JAYCEES BALLFLD STAND	01-510-000-56150	13.39
19880		3RD AVE POWER PANEL	01-510-000-56150	13.39
19880		MEM FLD PKG LOT	01-510-000-56150	13.39
19880		WS BALLFLD LIGHTS	01-510-000-58650	25.00
19880		MEM FLD COMPLEX	01-510-000-56150	198.22
19880		GIRLS LITTLE LEAGUE	01-510-000-58650	37.00
19880		OTUMBA PRK WLKWAY	01-510-000-56150	16.32
19880		QUINCY ST BALLFLD	01-510-000-58650	37.00
19880		1ST AVE CHARGING STATION	01-510-000-56150	48.22
19880		SIGN SHED	01-510-000-56150	36.86
19880		SIGN SHED	01-510-000-58650	10.45
19880		CHERRY BLOSSOM PARK	01-510-000-56150	13.39
19880		CHERRY BLOSSOM PARK	01-510-000-58650	15.45
LAUSCHER	PETE LAUSCHER	SAFETY BOOT/LAUSCHER	01-510-000-56800	130.82
LUX	LUXEBURG IMPELMENT COMPANY	DECK BELT	01-510-000-51900	131.03
O'REILLY	O'REILLY AUTO PARTS-FIRST CALL	BATTERY	01-510-000-53000	136.87
TOTAL				1,917.52
TOTAL PARKS AND PLAYGROUNDS				1,917.52
MUNICIPAL DOCKS				
19880	STURGEON BAY UTILITIES	36 S NEENAH PGK LOT LITES	01-550-000-56150	98.54
19880		NEENAH AVE PAVILLION	01-550-000-56150	20.31
19880		NEENAH AVE PAVILLION	01-550-000-58650	10.45
19880		S NEENAH RESTROOM	01-550-000-56150	32.99
19880		S NEENAH RESTROOM	01-550-000-58650	25.00
TOTAL				187.29
TOTAL MUNICIPAL DOCKS				187.29
WATER WEED MANAGEMENT				
04545	DOOR COUNTY COOPERATIVE/NAPA	FUEL FILTER	01-560-000-51400	12.00
TOTAL				12.00
TOTAL WATER WEED MANAGEMENT				12.00
WATERFRONT PARKS & WALKWAYS				
19880	STURGEON BAY UTILITIES	92 E MAPLE STREET	01-570-000-56150	21.63
19880		DC MUSEUM WALKWAY	01-570-000-56150	59.10
19880		JUNIPER ST WALKWAY LTS	01-570-000-56150	34.23
19880		JUNIPER ST PARKING LOT	01-570-000-56150	26.53
19880		PENNSYLVANIA ST DOCK	01-570-000-58650	15.45
19880		48 KENTUCKY ST WTRFRNT	01-570-000-56150	107.46
19880		92 E MAPLE ST DOCK	01-570-000-58650	10.45
19880		1 ST AVE MARINA/RESTROOM	01-570-000-56150	415.18
19880		1 ST AVE MARINA/RESTROOM	01-570-000-58650	61.40
19880		KENTUCKY ST CITY RAMP	01-570-000-56150	202.63

INVOICES DUE ON/BEFORE 03/19/2024

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
GENERAL FUND				
WATERFRONT PARKS & WALKWAYS				
19880		KENTUCKY ST CITY MARINA	01-570-000-58650	37.00
		TOTAL		991.06
		TOTAL WATERFRONT PARKS & WALKWAYS		991.06
EMPLOYEE BENEFITS				
CORAGGIO	ANN LIEBESKIND	2024 WELLNESS PROGRAM	01-600-000-50550	6,000.00
		TOTAL		6,000.00
		TOTAL EMPLOYEE BENEFITS		6,000.00
		TOTAL GENERAL FUND		274,796.19
CAPITAL FUND				
CITY HALL				
CITY HALL EXPENSE				
05500	ENERGY CONTROL AND DESIGN INC	UV SCANNER	10-160-000-59999	374.79
05500		BEARING	10-160-000-59999	712.78
05500		DIG. TEMP UNIT	10-160-000-59999	179.53
05500		VALVE	10-160-000-59999	64.08
05500		CONSUMABLES	10-160-000-59999	25.00
05500		LABOR	10-160-000-59999	980.80
05500		VEHICLE	10-160-000-59999	93.60
		TOTAL CITY HALL EXPENSE		2,430.58
		TOTAL CITY HALL		2,430.58
PATROL				
FLOCK	PATROL FLOCK GROUP INC	PROVIDE/INSTALL FLOCK CAMERA	10-215-000-59000	31,500.00
		TOTAL PATROL		31,500.00
		TOTAL PATROL		31,500.00
		TOTAL CAPITAL FUND		33,930.58
CABLE TV				
CABLE TV / GENERAL				
CABLE TV / GENERAL				
03159	SPECTRUM ENTERPRISES-	02/24 CB MUSIC SERVICE	21-000-000-58999	50.85
		TOTAL CABLE TV / GENERAL		50.85
		TOTAL CABLE TV / GENERAL		50.85
		TOTAL CABLE TV		50.85
TID #6 DISTRICT				
TID #6 DISTRICT				
TID #6 DISTRICT				
STANTEC	STANTEC CONSULTING SERVICE INC	PROGRESS BILLING-ALABAMA PL	22-360-000-58999	1,650.00
		TOTAL TID #6 DISTRICT		1,650.00
01764	T#6 DBT \$720K PR NOTES 8/22/23 ASSOCIATED WEALTH MANAGEMENT	04/24 GO PROM NOTE 8.22.23 T6	22-360-910-70001	20,531.25
		TOTAL T#6 DBT \$720K PR NOTES 8/22/23		20,531.25
		TOTAL TID #6 DISTRICT		22,181.25
		TOTAL TID #6 DISTRICT		22,181.25

INVOICES DUE ON/BEFORE 03/19/2024

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
TID #2 DISTRICT				
TID DISTRICT #2				
AMUNDSEN	AMUNDSEN DAVIS, LLC	01/24 T2 MATTERS	25-320-000-55001	632.50
AMUNDSEN		12/23 & 01/24 WRA MATTERS	25-320-000-55001	1,364.00
TOTAL				1,996.50
T2 SERIES 2006A				
01764	ASSOCIATED WEALTH MANAGEMENT	04/24 RESTRCT 72 10.1.24 LEASE	25-320-933-70001	15,787.50
01764		04/24 GO RFND BND 9.7.16	25-320-933-70001	63,000.00
01764		04/2 DEBT RESTRUCT 10.1 15	25-320-933-70001	13,265.00
TOTAL T2 SERIES 2006A				92,052.50
TOTAL TID DISTRICT #2				94,049.00
TOTAL TID #2 DISTRICT				94,049.00
TID #3 DISTRICT				
TID #3 DISTRICT				
\$1.685 NOTES				
01764	ASSOCIATED WEALTH MANAGEMENT	04/24 TID 3	27-330-937-70001	19,750.00
TOTAL \$1.685 NOTES				19,750.00
TOTAL TID #3 DISTRICT				19,750.00
TOTAL TID #3 DISTRICT				19,750.00
TID #4 DISTRICT				
TID #4 DISTRICT				
TID #4 DISTRICT				
CEDARCO	CEDAR CORPORATION	WTRFRNT-CENTRAL WALKWAY	28-340-000-59082	1,000.00
TOTAL TID #4 DISTRICT				1,000.00
PROMISSORY NOTES				
01764	ASSOCIATED WEALTH MANAGEMENT	04/24 TID 4 PROJCTS 9.7.21 ISS	28-340-986-70001	10,000.00
TOTAL PROMISSORY NOTES				10,000.00
T4 \$3.12 NOTES				
01764	ASSOCIATED WEALTH MANAGEMENT	04/24 TAXABLE GO RFND BND T 4	28-340-987-70001	5,818.75
TOTAL T4 \$3.12 NOTES				5,818.75
T4 BONDS				
01764	ASSOCIATED WEALTH MANAGEMENT	04/24 GO RFND BOND TID 4	28-340-988-70001	21,800.00
TOTAL T4 BONDS				21,800.00
TOTAL TID #4 DISTRICT				38,618.75
TOTAL TID #4 DISTRICT				38,618.75
TID #10 DISTRICT				
TID #10 DISTRICT				
TID #10 DISTRICT				
AMUNDSEN	AMUNDSEN DAVIS, LLC	01/24 CONTRACTS/DEV AGREEMNTS	32-310-000-55001	385.00
TOTAL TID #10 DISTRICT				385.00
TOTAL TID #10 DISTRICT				385.00
TOTAL TID #10 DISTRICT				385.00



DATE: 03/12/2024  
TIME: 14:52:38  
ID: AP4430ZN

CITY OF STURGEON BAY  
DEPARTMENT SUMMARY REPORT

PAGE: 9

INVOICES DUE ON/BEFORE 03/19/2024

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
SOLID WASTE ENTERPRISE				
SOLID WASTE ENTERPRISE FUND				
SOLID WASTE ENTERPRISE FUND				
06012	FASTENAL COMPANY	14.5" CABLE TIES	60-000-000-54999	11.50
06012		11" CABLE TIES	60-000-000-54999	4.52
GFLENVIR	GFL ENVIRONMENTAL, INC	201.20 TN GARBAGE	60-000-000-58300	14,556.85
GFLENVIR		66.02 TN RECYCLE	60-000-000-58350	1,134.88
JX ENT	JX ENTERPRISES, INC.	FENDER SKIRT	60-000-000-53000	258.99
TOTAL SOLID WASTE ENTERPRISE FUND				15,966.74
REFUSE EQUIPMENT				
01764	ASSOCIATED WEALTH MANAGEMENT	04/24 REFUSE TRCK 9.7.21	60-000-918-70001	2,280.51
TOTAL REFUSE EQUIPMENT				2,280.51
REFUSE EQUIPMENT				
01764	ASSOCIATED WEALTH MANAGEMENT	04/24 REFUSE TRCK 9.7.21	60-000-919-70002	2,280.51
TOTAL REFUSE EQUIPMENT				2,280.51
TOTAL SOLID WASTE ENTERPRISE FUND				20,527.76
TOTAL SOLID WASTE ENTERPRISE				20,527.76
COMPOST SITE ENTERPRISE FUND				
COMPOST SITE ENTERPRISE FUND				
COMPOST SITE ENTERPRISE FUND				
19880	STURGEON BAY UTILITIES	MARTIN PARK RESTROOM	64-000-000-58999	2.00
19880		421 MICHIGAN ST	64-000-000-58999	10.00
19880		MEM FLD WARMING HOUSE	64-000-000-58999	6.00
19880		835 N 14TH AVE	64-000-000-58999	6.00
19880		GARLAND PARK	64-000-000-58999	2.00
19880		SUNSET CONSN CNTR	64-000-000-58999	6.00
19880		FRANK GRASSE MEM SHELTER	64-000-000-58999	2.00
19880		OTUMBA PARK	64-000-000-58999	9.00
19880		WS WARMING HOUSE	64-000-000-58999	2.00
19880		WS FIRE STATION	64-000-000-58999	6.00
19880		NEENAH AVE PAVILLION	64-000-000-58999	2.00
19880		S NEENAH RESTROOM	64-000-000-58999	4.00
19880		WS BALLFLD LIGHTS	64-000-000-58999	4.00
19880		GIRLS LITTLE LEAGUE	64-000-000-58999	6.00
19880		COMPOST SITE	64-000-000-56150	13.39
19880		FIRE TRAINING SITE	64-000-000-58999	2.00
19880		QUINCY ST BALLFLD	64-000-000-58999	6.00
19880		PENNSYLVANIA ST DOCK	64-000-000-58999	2.00
19880		92 E MAPLE ST DOCK	64-000-000-58999	2.00
19880		1 ST AVE MARINA/RESTROOM	64-000-000-58999	6.00
19880		KENTUCKY ST CITY RAMP	64-000-000-58999	2.00
19880		KENTUCKY ST CITY MARINA	64-000-000-58999	6.00
19880		SIGN SHED	64-000-000-58999	2.00
19880		CHERRY BLOSSOM PARK	64-000-000-58999	2.00
TOTAL COMPOST SITE ENTERPRISE FUND				110.39
TOTAL COMPOST SITE ENTERPRISE FUND				110.39
TOTAL COMPOST SITE ENTERPRISE FUND				110.39
TOTAL ALL FUNDS				504,399.77

**MANUAL CHECKS**

DELTA DENTAL      \$6,081.05  
03/04/24  
Check # D001473  
03/24 Dental Insurance  
Various Departmental Accounts

EFT GROUP INSURANCE      \$128,951.54  
03/04/24  
Check # D001474  
03/24 Health Insurance  
Various Departmental Accounts

AT&T MOBILITY      \$1,530.41  
03/07/24  
Check # 93236  
02/24 Statement Charges  
01-215-000-58250

KWIK TRIP INC      \$1,774.62  
03/07/24  
Check # 93237  
02/24 Statement Charges  
01-250-000-51650

DNR      \$19.00  
03/11/24  
Check # 93238  
Boat Patrol Training  
01-215-000-55600

**TOTAL MANUAL CHECKS      \$138,356.62**

DATE: 03/12/2024  
TIME: 14:52:38  
ID: AP4430ZN

CITY OF STURGEON BAY  
DEPARTMENT SUMMARY REPORT

INVOICES DUE ON/BEFORE 03/19/2024

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
SUMMARY OF FUNDS:				
GENERAL FUND		274,796.19		413,152.81
CAPITAL FUND		33,930.58		
CABLE TV		50.85		
TID #6 DISTRICT		22,181.25		
TID #2 DISTRICT		94,049.00		
TID #3 DISTRICT		19,750.00		
TID #4 DISTRICT		38,618.75		
TID #10 DISTRICT		385.00		
SOLID WASTE ENTERPRISE		20,527.76		
COMPOST SITE ENTERPRISE FUND		110.39		
TOTAL --- ALL FUNDS		504,399.77		642,756.39

Helen Bacon 3/12/2024  
SPth W... 3/12/2024  
Dan We... 3/12/2024

COMMON COUNCIL  
March 5, 2024

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.

Nault/Williams to adopt the agenda. Carried.

No one spoke during public comment.

Bacon/Wiederanders to approve following bills: General Fund – \$119,714.00, Capital Fund - \$15,583.95, Cable TV - \$5,573.35, TID #8 - \$7,404.95, TID #,10 - \$39,637.45, and Solid Waste Enterprise Fund - \$1,528.00 for a grand total of \$189,441.70. Roll call: All voted aye. Carried.

Williams/Gustafson to approve consent agenda:

- a. Approval of 2/20/24 regular Common Council minutes.
- b. Place the following minutes on file:
  - (1) Sturgeon Bay Utility Commission – 11/14/23
  - (2) Sturgeon Bay Utility Commission Closed Session – 11/14/23
  - (3) Sturgeon Bay Utility Commission – 12/12/23
  - (4) Sturgeon Bay Utility Commission – 1/9/24
  - (5) Police & Fire Commission – 2/5/24
  - (6) Finance/Purchasing & Building Committee – 2/13/24
  - (7) Local Transportation Board – 2/21/24
- c. Place the following reports on file:
  - (1) Fire Department Annual Report – 2023
- d. Consideration of: Approval of Beverage Operator licenses.
- e. Consideration of: Approval of 6-month Class B Beer license for Sternard Motorsports, LLC.
- f. City Plan Commission recommendation re: Approve a zoning map amendment from Single-Family Residential (R-1) to Two-Family Residential (R-3) for parcel #281-62-40000101A a 2.78 acre parcel located on the southeast corner of Utah Street and S. 18<sup>th</sup> Avenue.
- g. City Plan Commission recommendation re: Approve a zoning map amendment from Agricultural (A) to General Commercial (C-1) for parcel #281-62-11000109 a 081 acre parcel located on the south side of Alabama Street across from the Nightingale Supper Club.

Carried.

There were no mayoral appointments.

Statz/Wiederanders to read in title and adopt the second reading of ordinance re: Amend Section 9.05(3)(a)(1) of the Municipal Code -Tourist Rooming House. Carried.

Williams/Statz to read in title only the first reading of ordinance re: Rezone parcel 281-62-4000101A located on the southeast corner of Utah St. and S. 18<sup>th</sup> Ave. Carried.

Wiederanders/Nault to read in title only the first reading of ordinance re: Rezone parcel 281-62-11000109 located at the south side of Alabama Street. Carried.

Williams/Reeth to adopt resolution re: Dissolve the Waterfront Redevelopment Authority. Carried.

Nault/Gustafson to adopt resolution supporting resilient food system infrastructure (RFSI) program application. Carried.

#### RECOMMENDATION

We, the Finance/Purchasing & Building Committee, hereby recommend to approve the development agreement as amended with Cobblestone Hotels Development, LLC extending the completion date deadline to December 31, 2025.

FINANCE/PURCHASING & BUILDING COMMITTEE

By: Helen Bacon, Chr.

Introduced by Bacon. Bacon/Wiederanders to adopt. Carried.

#### RECOMMENDATION

We, the Finance/Purchasing & Building Committee, hereby recommend to move forward and approve hiring Ayres Associated, Inc. in an amount not to exceed \$74,500.

FINANCE/PURCHASING & BUILDING COMMITTEE

By: Helen Bacon, Chr

Introduced by Bacon. Bacon/Statz to adopt. Carried.

#### RECOMMENDATION

We, the City Plan Commission, hereby recommend to approve the floodplain zoning map and ordinance amendments relating to Chapter 23 "Floodplain Zoning Code" of the Municipal Code.

CITY PLAN COMMISSION

By: David Ward, Chr.

Introduced by Mayor Ward. Statz/Williams to adopt. Carried.

Reeths/Bacon to read in title only the first reading of ordinance re: Repeal and recreate Chapter 23 – Floodplain Zoning Code. Carried.

The City Administrator gave his report.

The Mayor gave his report.

Nault/Wiederanders to adjourn. Carried. The meeting adjourned at 6:43 p.m.

Respectfully submitted,



Stephanie L. Reinhardt  
City Clerk/HR Director

**COMMUNITY PROTECTION & SERVICES COMMITTEE**

February 7, 2024

A meeting of the Community Protection & Services Committee was called to order at 4:30 pm by Alderman Reeths in the Council Chambers, City Hall. **Roll Call:** Ald. Reeths and Ald. Wiederanders were present. Also present from City Departments was Stephanie Servia.

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

1. Roll Call
2. Adoption of Agenda
3. Approval of Minutes from December 6, 2023
4. Public Comment on Agenda Items
5. Consideration of: City Ordinance Code 9.05 – Tourist Rooming House License
6. Adjourn

*All Ayes. Carried.*

**Approval of Meeting Minutes**

*Moved by Ald. Wiederanders, seconded by Ald. Reeths to approve the December 6, 2023 minutes. All Ayes. Carried.*

**Public Comment**

None

**Ordinance Code 9.05 – Tourist Rooming House Permits**

Since the last review and approved changes, a mistake was found regarding the expiration of permits. Changes to the wording were made that matches the language in the state statute. The amendment to the ordinance states the license issued is valid for one year and will expire on June 30; if issued during the period of April 1 through June 30, the license will then expire the following year on June 30.

*Moved by Ald. Reeths seconded by Ald. Wiederanders to hereby recommend the Common Council approve the changes to Section 9.05 – Tourist Rooming House, of the City of Sturgeon Bay Municipal Code as presented. All ayes. Carried.*

*Moved by Ald. Wiederanders, seconded by Ald. Reeths to adjourn the meeting of the Community Protection & Services Committee. All ayes. Carried. The meeting was adjourned at 4:34 pm.*

Respectfully submitted,



Sarah Spude-Olson  
Police Department Office Manager



## CITY PLAN COMMISSION

February 21, 2024

A meeting of the City Plan Commission was called to order at 6:00 p.m. by Vice-Chairperson Dennis Statz in the Council Chambers, City Hall, 421 Michigan Street.

Roll call: Members Dennis Statz, Mark Holey, Jeff Norland, Spencer Gustafson, and Amy Stephens were present. Mayor Ward arrived at 6:12 and Helen Bacon was excused. Staff present were Community Development Director Marty Olejniczak, Planner/Zoning Administrator Stephanie Servia, City Administrator Josh Van Lieshout and Community Development Secretary, Colleen Michiels.

**Adoption of agenda:** Moved by Mr. Norland, seconded by Mr. Holey to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from January 17, 2024.
4. Public comment on non-agenda Plan Commission related items.
5. Comprehensive floodplain zoning map and ordinance amendments – Chapter 23 of the municipal code.
  - a. Presentation
  - b. Public Hearing
  - c. Consideration/Recommendation
6. Zoning map amendment petition from Agricultural (A) to General Commercial (C-1) for property located along Alabama Street east of Egg Harbor Road - parcel #281-62-11000109.
  - a. Presentation
  - b. Public Hearing
  - c. Consideration/Recommendation *(Note: The Plan Commission will not make a recommendation at this meeting unless a motion is made and passed by ¾ of the members present to act on the request at this meeting.)*
7. Zoning map amendment petition from Single-Family Residential (R-1) to Two-Family Residential (R-3) for property located at the southeast corner of S. 18<sup>th</sup> Ave and Utah Street - parcel #281-62-40000101A.
  - a. Presentation
  - b. Public Hearing
  - c. Consideration/Recommendation *(Note: The Plan Commission will not make a recommendation at this meeting unless a motion is made and passed by ¾ of the members present to act on the request at this meeting.)*
8. Consideration of: Designation of lots within proposed certified survey map for development of two-family dwellings on property owned by BOC Partnership, LLP located between 4<sup>th</sup> and 5<sup>th</sup> Avenues to the south of Alabama Street - parcel #281-54-06020801.
9. Initial presentation of zoning map amendment petition from Agricultural (A) to Single-Family Residential (R-1) for property located on the southeast corner of Utah Street and Cove Road - parcel #281-62-51000102C1.
10. Initial presentation of zoning map amendment petition from Light Industrial (I-1) to General Commercial (C-1) for property located on the east side of S Columbia Avenue and also borders Highway 42/57 - parcel #281-66-12001511B.
11. Adjourn.

All ayes. Carried.

**Approval of minutes from January 17, 2024:** Moved by Mr. Gustafson, seconded by Ms. Stephens to approve the minutes from January 17, 2024. All ayes. Carried.

**Public Comment on non-agenda Plan Commission related items:** No members of the public presented for comment.

**Comprehensive floodplain zoning map and ordinance amendments – Chapter 23 of the municipal code.**

**Presentation (a):** Ms. Servia explained that the City must adopt the Flood Insurance Rate Maps (FIRMs) and enforce the floodplain zoning code to remain eligible for the Federal Floodplain Insurance under the National Flood Insurance Program (NFIP). The city also needs to update its Floodplain Zoning Code to match with what is required by FEMA and the state.

The changes to the ordinance include the addition of a coastal floodplain district which consists of areas that could be hit by three-foot waves. In the City, this only affects a small area. In addition, the floodway district requirements are stricter than within the City's current ordinance.

Ms. Servia went on to discuss non-conforming structures and how they can be regulated. The current code does not allow any repair, modification or addition to a non-conforming structure or use if the cost exceeds 50% of the property's equalized assessed value. There now is an option, known as ACT 175 rules, that provides a less restrictive option. whereby repairs and modifications can exceed the 50% rule provided the non-conforming structure meets floodproofing requirements. Servia explained that if the city is ok with allowing non-conforming structures to remain in the floodplain if floodproofed, then the ACT 175 provisions should be included. However, if the city intends to eventually eliminate non-conforming structures from the floodplain, then the ACT 175 rules should not be adopted.

**Public Hearing (b):** Mayor Ward opened the public hearing at 6:13 pm. No one spoke on this matter. The public hearing was closed at 6:14 pm.

**Consideration of (c):** Members discussed the difference between the nonconforming use rules with and without ACT175. Mr. Holey also inquires about the number of homes currently in the floodplain and the financial impact on those homes by requiring floodproofing.

Mr. Statz motioned to adopt the floodplain zoning ordinance including ACT 175 requirements. Mr. Norland seconded the motion. All ayes, motion carried unanimously.

**Zoning map amendment petition from Agricultural (A) to General Commercial (C-1) for property located along Alabama Street east of Egg Harbor Road - parcel #281-62-11000109:**

**Presentation (a):** Ms. Servia explained that John and Farrah Heikkila request the rezoning of parcel #281-62-11000109 located on the south side of Alabama Street from Agricultural (A) to General Commercial (C-1). The property is 0.81 acres in size. The Heikkila's wish to have the property rezoned so they may build the Morning Dove, a drive thru coffee shop, on the property. The lot is currently used as an overflow parking lot for the Nightingale Supper Club.

Parcels surrounding this parcel are primarily zoned C-1 and are comprised of various commercial uses. However, there are a few residential homes to the east and John Miles County Park to the south. Ms. Servia explains that the 2040 Comprehensive Plan's Future Land Use Designation for the subject lot is Public and Institutional which is established to facilitate large-scale public buildings, schools, religious institutions, hospitals, special care facilities, and cultural facilities. However, City Staff believes that this designation is a mapping error as this use was not discussed during or since the creation of the 2040 Comprehensive Plan.

Mr. Holey inquired about the building layout on the lot to which Ms. Servia reminded that only the zoning matter is before the commission this evening.

Mr. Holey also asked if the two-way drive-through was still part of the plan to which Mr. Heikkila responded that they currently plan for a one-way drive-through.

**Public Hearing (b):** Mayor Ward opened the public hearing at 6:20 p.m. No members of the public presented. Ms. Michiels read two emails which are summarized as follows:

Sue Tong-Frederickson of 1116 N 15<sup>th</sup> Place feels there will still be a need for overflow parking for the Nightingale Supper Club during the summer months. She also seeks confirmation that the rezoning of this parcel will not affect the zoning of her property.

Heidi Ann Ullman of 1537 Alabama Street owns the property bordering the parcel to the east. She is concerned about the location of the proposed building on the property, noise, and water runoff. She would like to see trees or shrubs along the property lines to assist in keeping litter, people, and pets of the business off her property and downward facing lighting to prevent additional light-shine into her residence. Ms. Servia mentioned that the property owner has agreed to incorporate these concerns into his plans, and they will also be addressed by the Aesthetic Design and Site Plan Review Board.

**Consideration of (c):** Mr. Gustafson motioned to act upon the petition at this meeting. Mr. Statz seconded the motion. All ayes. Carried. Mr. Gustafson motioned to approve the zoning map amendment for parcel #281-62-11000109 from Agricultural to General Commercial. Mr. Norland seconded the motion. All ayes, motion carried unanimously.

**Zoning map amendment petition from Single-Family Residential (R-1) to Two-Family Residential (R-3) for property located at the southeast corner of S. 18<sup>th</sup> Ave and Utah Street - parcel #281-62-40000101A.**

**Presentation (a):** Ms. Servia explained that Ryan Polzin and Eric Vandervest of E&R- SB, LLC request the rezoning of parcel #281-62-40000101A which is a triangular-shaped 2.78-acre parcel bordering Highway 42-57 located on the southeast corner of Utah Street and S 18<sup>th</sup> Ave from Single-Family Residential (R-1) to Two-Family Residential (R-3). E&R-SB, LLC have an option to purchase the property and wish to have the property rezoned so they may build the "Boat House Motor Condos", which is a multiple-family residential development of up to 4-unit buildings that is part residential/part storage building. The intent is for the condos to have enough storage for property owners to store their boats and other vehicles. Provided the rezoning is successful, the applicants will need to obtain conditional use approval for multi-family residential units in the R-3 zoning district.

Ms. Servia discussed the surrounding zoning and uses. She noted that the shape of the parcel coupled with the required building setback from Highway 42-57 make it difficult to develop the parcel with single-family homes. The 2040 Comprehensive Plan's Future Land Use Designation for the lot is Planned Neighborhood. That land use category is established to provide for a variety of housing choices and a mix of non-residential uses. Staff believes the proposed rezoning is consistent with this land-use designation.

**Public Hearing (b):** Mayor Ward opened the public hearing at 6:30 pm.

Joel Heckman of 601 S. 18<sup>th</sup> Avenue expresses concerns about traffic. Utah Street only exits south onto the highway, and he suspects that much of the traffic from these condos would want to go north. He wonders if a roundabout would be put in with the additional housing to allow for a Northbound exit. He is also concerned about traffic on 18<sup>th</sup> Avenue which he feels is already substantial due to the location of the hospital.

James Meyer of 539 S. 18<sup>th</sup> Avenue states that he chose this neighborhood to settle in because he liked that it consisted only of single-family homes and was convenient to everything they needed. He explains that the area seems to be developing nicely as a single-family neighborhood and it should remain that way. He feels there is plenty of storage in the area that residents can use if they would like to store a boat. He feels a better need would be additional affordable housing.

Chris Kellems of 120 Alabama Street believes that this planned use is a good fit for the area and the oddly shaped parcel. The condos look nice and could serve as a buffer from the noise of the Highway. She also is concerned about the need for repairs to S 18<sup>th</sup> Ave and feels the developer should be responsible for helping fund the repairs to that road.

The public hearing was closed at 6:35 pm.

**Consideration (c):** Mayor Ward expresses hesitation in deciding on this matter tonight because of the uniqueness of the parcel, the condition of S 18<sup>th</sup> Avenue and the missing commissioner. He explains that the extension of S 18<sup>th</sup> to Memorial Drive is in the comprehensive plan, but the City lacks the right-of-way to accomplish that at this time and the condition of the road was brought up to the prospective buyers at the initial presentation.

Mr. Statz feels that the proposed development is a clever plan for this oddly shaped parcel located right next to the highway and the renderings indicate that the buildings will be nice looking. He indicates that even if it isn't acted upon now, he feels it is an appropriate use. Mr. Norland agrees.

Mr. Norland motioned to act upon the petition at this meeting. Ms. Stephens seconded the motion, By roll call vote the motion carried 5 ayes to 1 nay (Ward).

Mr. Statz motioned to recommend to the Common Council to approve the zoning map amendment for parcel #281-62-40000101A from Single-Family Residential (R-1) to Two-Family Residential (R-3). Mr. Gustafson seconded the motion. All ayes, motion carried unanimously.

**Consideration of: Designation of lots within proposed certified survey map for development of two-family dwellings on property owned by BOC Partnership, LLP located between 4<sup>th</sup> and 5<sup>th</sup> Avenues to the south of Alabama Street - parcel #281-54-06020801.**

Mr. Olejniczak explained that BOC Partnership, LLP who is being represented by Tom Kriedeman, recently purchased parcel #281-54-06020801 which is bounded by Alabama, 4<sup>th</sup> and 5<sup>th</sup> in the north end of the city. They intend to divide the parcel into four buildable lots, construct single-family homes on two parcels, and two-family homes on the other two lots. The two-family dwellings are a conditional use under the R-2 Single-Family Residential zoning. However, there is a provision in the code that allows two-family dwellings, as a right, if the lots intended for such dwellings are approved by the Plan Commission and designated on the plat or certified survey map used to create the lots before recording.

Mr. Olejniczak described the zoning and uses in the surrounding area and explained the Comprehensive Plan designation for Medium Density Residential. He also mentioned that during storms, a considerable amount of stormwater enters the property from a culvert on 5<sup>th</sup> Avenue and flows toward 4<sup>th</sup> Avenue. The developer has reserved a portion of land which the Common Council has approved to purchase for the use of storm water retention. However, the City Engineer has indicated that stormwater retention for the proposed four lots would not be needed unless the parcel was more intensely developed.

It was noted that 4<sup>th</sup> Avenue has sewer and water mains running the whole length. However, 5<sup>th</sup> Avenue only has mains running a portion of the way up, making it more difficult to make lots fronting on 5<sup>th</sup> Ave. There is no sewer and water service along Alabama St which means that proposed Lot 2 has no direct access to sanitary sewer or water. Therefore, the proposal is to serve this lot via an easement to 4<sup>th</sup> Avenue across Lot 1.

Another factor to consider is that in 2004, when the Common Council decided to sell this property, there was a concept to divide the parcel into six lots with the condition that construction be limited to single-family homes. When the property was sold to Magnus Ryan, LLC in 2005, the counteroffer did contain the deed restriction condition. However, the parcel was never divided, and the restrictive covenant was never recorded. A number of neighbors have expressed concern about the two-family dwellings and

would like to see the 2004 action be retained, although there is nothing legally restricting development of this parcel to single-family dwellings. Mr. Olejniczak explained that the Commission can approve the pre-designation of the two lots on the certified survey map for two-family dwellings or deny the pre-designation for one or both lots. If that occurs, the developer could seek a conditional use permit to build the duplexes or choose to do something different.

Mr. Olejniczak added that a petition regarding the concerns of the neighbors was prepared by Dan Lenius and has been provided to each member and was included in the agenda packet.

Mr. Norland asked how many single-family homes could be placed on the lot if the developer were to exclusively build single-family homes. Mr. Olejniczak states that if you base it on minimum lot sizes, it could be as many as fourteen. However, there are many factors that could reduce that number such as stormwater retention and the cost of installation of sewer and water in that area.

Mayor Ward asked who will be responsible to maintain the stormwater retention area if it becomes necessary. Mr. Olejniczak explains that if the city purchases the land for the purpose, it would be the City's responsibility to maintain it.

Mr. Holey requested confirmation that the question for the commission is whether to pre-designate the two lots and the four-lot restriction. Mr. Olejniczak explained that the four-lot restriction is only if there is a land sale for the stormwater area. The offer to sell/purchase can be withdrawn at any time. Mr. Holey asked what occurs if the pre-designation is not approved. Mr. Olejniczak explained that the option then would be for the developer to record the map and then return to the Plan Commission requesting a conditional use to allow the duplexes for those two lots. Mr. Holey noted that the pre-designation on the lots would not prevent them from building a single-family home on the lot instead of the proposed duplex. Mr. Olejniczak confirmed.

The mayor invited the public to speak.

Dan Lenius of 1160 N 5<sup>th</sup> Avenue: There is no sewer and water on Alabama Street at all. The sewer on 5<sup>th</sup> cannot be pushed any further north because of elevation which goes all the way to Delaware Street, and they will not loop the water. Twenty years ago, the cost to extend the water and sewer from 1110 N 5<sup>th</sup> to 1160 N 5<sup>th</sup>, the cost was \$35,000 and that is why it has never been developed or platted for more than 6 lots in that area. It's not financially feasible.

Mr. Lenius continued by speaking on behalf of the neighborhood in opposition to building duplexes at the end of 4<sup>th</sup> and 5<sup>th</sup> Avenues. In 2004, the City owned the property and at the time the City Administrator signed a counter-offer restricting development to single-family dwellings. Since then, the property was listed and sold to the current owner who had no knowledge of the single-family restriction. Mr. Lenius took his concern to Mr. Olejniczak who, in turn, looked back into the records and was able to confirm that there was a decision made to restrict the parcel to single-family dwellings. However, that restriction was never recorded. He states that while the neighborhood appreciates the fact that the new owner is only proposing four lots, that shouldn't be what dictates the decision. The failure to record the restriction is not the fault of the neighbors and they shouldn't be punished with the reduction of property value that will occur with the presence of duplexes. He adds that the staff recommendation compares this plan to that of the six-unit reference of the 2004 decision, but the six units referenced in 2004 were single-family homes. Therefore, Mr. Lenius and the neighbors feel that the staff recommendation to approve the two-family dwellings is wrong.

George Husby of 1111 N 5<sup>th</sup> Avenue was not aware of this plan until two weeks ago when Mr. Lenius informed him of the meeting. He agrees with Mr. Lenius. The council decision that there would be no duplexes should be upheld. He acknowledges that while it was by no fault of the new owner that the restriction was not recorded, a decision on this matter should be delayed and researched more.

Frank Ferre of 945 N 5<sup>th</sup> Avenue would like to maintain the character of the neighborhood by prohibiting the construction of the duplexes and has further concern with the issue of storm water runoff going to Bradley Lake.

Current property owner, Tom Kriedeman, addressed some the concerns presented by the neighbors. He worked with the Community Development department to locate a property where his family could build a duplex as an investment property for his son. His plans are for just the two duplexes, and he plans to make these nice duplexes that his family and the neighborhood would be proud to have. He chose this property because it is zoned R-2 which allows duplexes. He then worked with the City in regard to the property needed for proposed storm runoff and also considered the number of dwellings he could put on the property. He addressed the concerns over the previous sale agreement by explaining that those restrictions go with that transaction. It does not attach to the property. He completed a title search prior to purchasing the property and nothing restricting the development of the land to single-family homes was found. The other properties in this neighborhood are zoned R-2 meaning that any of them *could* have a duplex put on them someday. Therefore, it is unfair to restrict this parcel to single-family only.

George Husby, 1111 N 5<sup>th</sup> Avenue, noted that the land on the corner of 4<sup>th</sup> and Alabama was heavily wooded and people threw their trash off there. Testing should be done before building there. Mr. Kriedeman responded to Mr. Husby's concern by explaining that they did some testing on the property which revealed nothing of concern.

Chris Kellems, 120 Alabama was in favor of the project. She feels it is in-line with the comprehensive plan and proposes quality dwellings in a nice neighborhood that, in her opinion, will not decrease surrounding property values.

Miranda Hottenroth, 946 N 5<sup>th</sup> Avenue, explained that her concern isn't so much to do with the proposed plan but the failure to record the 2005 decision. She questions the city's accountability for decisions that are made, the continued trust of the community, and how situations such as this can be avoided in the future.

The Commission then discussed the matter. Mr. Norland believes that the City's interest in the land for future storm water management makes sense. He adds that while he understands the concern of the neighbors, he does like the plan and thinks the commission should move forward with it.

Mr. Gustafson expresses concern on this matter because of a similar experience he had with the Marina View apartment project where the final agreements did not reflect all the decisions that were made.

Mr. Statz stated that while the failure to record the restriction is unfortunate, the owner purchased it with an understanding he could build the duplexes on the property, and it is only four large lots.

Mr. Gustafson reiterated that this is an unfortunate matter and added concerns about the relative lack of utilities in that area. He explained that he has been told of times when the water just shuts off in that area and doesn't turn back on for several minutes. Mayor Ward stated that this water concern should be brought before the Sturgeon Bay Utilities Commission which meets monthly on the second Tuesday.

Mr. Holey agreed that the plan is a good plan. He has some duplexes and four-plexes in the area where he lives, and he doesn't believe they caused a reduction of property values or any other negative impacts.

Ms. Stephens acknowledged that the matter of the mistake is difficult, but the current property owner is following the rules and wishes to maintain the quality of the neighborhood. Accordingly, she agrees that the plan is a good one.

Mayor Ward explained that when driving by the property, he has always envisioned it as a good location for multi-family dwellings. While the matter is complicated by a 2005 decision that was never recorded, the current owners purchased the property with goodwill.



Ms. Stephens added that, despite the issues, the zoning code is what dictates. This property is zoned R-2 and so are the neighboring parcels meaning that any of the many parcels in the area could eventually request use for a duplex. She feels consistency is important and you cannot restrict one parcel in the neighborhood to single-family homes.

Frank Ferre asked what the price point of the homes will be. Mr. Kreideman responded that he and his family will be living in the duplexes and the developer will be building and selling the single-family homes. Mayor Ward estimated that, based on the plan, the proposed dwellings would sell for about \$300 a square foot.

Mr. Norland motioned to approve the pre-designation of the two lots of the certified survey map for two-family dwellings. Mr. Holeý seconded Motion. Motion passes with Mr. Gustafson voting no.

**Consideration of: Initial presentation of zoning map amendment petition from Agricultural (A) to Single-Family Residential (R-1) for property located on the southeast corner of Utah Street and Cove Road - parcel #281-62-51000102C1:**

Ms. Servia explained that Charles Klein is requests the rezoning of his parcel located on the southeast corner of Utah Street and Cove Road from Agricultural (A) to Single-Family Residential (R-1) so that he may divide his 3.43-acre parcel, which is currently is being used as a single-family property, into four lots with two lots facing Cove Road and two facing Utah Street. With the current zoning, Mr. Klein would not be able to split the lot unless each new lot was at least an acre of area.

Mr. Klein explained that they have a large lot and would like to minimize their maintenance and supplement their retirement income by selling a portion of their lot. Each lot would be about a half an acre.

Members asked about the proposed division of the lots. Ms. Servia and Mr. Klein explained that the division hasn't been determined yet.

No action was taken by the Commission. A public hearing on this matter will be held at the next Plan Commission meeting.

**Consideration of: Initial presentation of zoning map amendment petition from Light Industrial (I-1) to General Commercial (C-1) for property located on the east side of S Columbia Avenue and also borders Highway 42/57 - parcel #281-66-12001511B:** David Serban and Mario Valentini from MRV Architects, Inc. are representing the prospective future property owner, Neil Borkan, who requests the rezoning of the property located on the east side of S Columbia Avenue from Light Industrial (I-1) to General Commercial (C-1). The larger 3.69-acre parcel is also bordered by Highway 42-57 and is currently vacant. The smaller 0.93-acre parcel to the southwest consists entirely of a pond. Mr. Borkan has an option to purchase the properties from Carmen Rofalikos Trust/Gregory W Conrad Trust and wishes to have the property rezoned so he may build two drive-thru restaurants and an 8-tenant commercial building also having drive-thru access. The only known tenant at this time is Taco Bell in one of the drive-thru restaurants. The applicant is also working on obtaining access to S Ashland Avenue through the adjoining northern property.

The 2040 Comprehensive Plan's Future Land Use Designation for the lot is Regional Commercial. Staff believes the proposed zoning map amendment is consistent with this land-use designation.

Mr. Olejniczak stated that the property was annexed from Nasewaupee in the 1990s with Overland Bolling being the original owner. They split the parcels along Columbia Avenue with the intent of making an industrial area, but it never developed. Over time, many of the lots were rezoned from the industrial district and rezoning this parcel to commercial also seems appropriate.

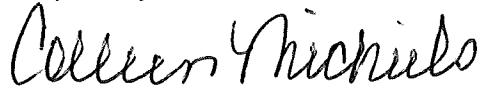
Mr. Statz asked if the rezoning is actually for two properties. Mr. Olejniczak explained that the pond is actually its own parcel and there is a public right-of-way called Pond Lane that separates the two parcels. The right-of-way is not needed for anything and could probably be vacated if the property owner requested that. Mr. Serban states that it is the plan to have the City vacate that right-of-way and the prospective owner would improve that.

Members agree this is a good plan and don't see an issue with the requested zoning but expressed concerns with vehicular access. They would like to see a plan for access prior to deciding on the rezoning. The members also discussed the ability to find tenants for the proposed 8-unit building and the ownership/maintenance of the pond.

No action was taken by the Commission. A public hearing on this matter will be held at the next Plan Commission meeting.

Mr. Holey motioned to adjourn, seconded by Mr. Statz. All ayes, motion carried. The meeting adjourned at 7:57 pm.

Respectfully submitted,

A handwritten signature in black ink that reads "Colleen Michiels". The signature is written in a cursive, flowing style.

Colleen Michiels  
Community Development  
Administrative Assistant

AESTHETIC DESIGN AND SITE PLAN REVIEW BOARD  
Monday, February 26, 2024

The Aesthetic Design and Site Plan Review Board meeting was called to order at 6:03 p.m. by Chairperson Rick Wiesner in the Council Chambers, City Hall, 421 Michigan Street.

**Roll Call:** Members Rick Wiesner, Dave Augustson, Thad Birmingham, and Nancy Schopf were present. Members Matt Fox and Jolene McMahon were excused. Member Pam Jorns was absent. Staff present were Planner/Zoning Administrator Stephanie Servia and Community Development Administrative Assistant Colleen Michiels.

1. Adoption of Agenda: Moved by Mr. Augustson, seconded by Ms. Schopf to adopt the following agenda:
2. Roll call.
3. Adoption of agenda.
4. Approval of minutes from December 18, 2023.
5. Consideration of: Installation of two downward facing parking lot lights and an Electronic Variable Message Sign (EVMS) for Prince of Peace Church located at 1756 Michigan Street.
6. Consideration of: A 474 square foot addition, landscaping and sign relocation for the Christ the King Episcopal Church located at 2 N 5<sup>th</sup> Avenue.
7. Adjourn.

All ayes. Motion carried.

**Approval of minutes from December 18, 2023:** Moved by Ms. Schopf, seconded by Mr. Birmingham to approve the minutes. All ayes. Motion carried.

**Consideration of: Installation of two downward facing parking lot lights and an Electronic Variable Message Sign (EVMS) for Prince of Peace Church located at 1756 Michigan Street:** Ms. Servia explains that the Prince of Peace Lutheran Church is requesting a few improvements to their parking lot. They intend to repave the parking lot, add two new light posts, and replace their existing sign with an Electronic Variable Message sign (EVMS). The EVM sign was before the Zoning Board of Appeals on January 9<sup>th</sup>, 2024 and was approved with the following conditions: 1. Maintain the planting bed with the installation of the new sign; 2. Limit the interval of message changes to ninety seconds; 3. Have the sign at a maximum of 8,000 nits; and 4. Limit hours of sign operation to be from 6 am to 9 pm.

For the most part, the landscaping plan will not change. The proposed parking lot lights are downward directed-facing away from residential neighbors. The new sign will be the same size and in the same location as the existing sign. The planting bed surrounding the sign will consist of hostas. Both the sign and the lights will be shut off at 9 pm.

The parking lot will not change in location or number of spaces. Nor will the appearance of the building be altered in any way.

Mr. Augustson asks if there are enough trees planted on the property. Ms. Servia explains that they do but no changes are being made that would require additional street trees.

Members discussed what a nit is, how it is measured and the difficulty with enforcing a maximum nit measurement without proper equipment. They agreed that the 8,000 nit maximum restriction placed on this sign seemed reasonable and in-line with city requirements.

Mr. Birmingham motioned to approve the installation of two downward facing parking lot lights and the placement of the new EVMS as presented. Motion seconded by Ms. Schopf. All ayes, motion carried unanimously.

**Consideration of: A 474 square foot addition, landscaping and sign relocation for the Christ the King Episcopal Church located at 2 N 5<sup>th</sup> Avenue:** Ms. Servia explains that Christ the King Episcopal Church is requesting review of their plan for a 474 square foot addition to their existing building which

includes porches, additional building accesses, sidewalks and stormwater management. The proposal will be before the Zoning Board of Appeals on February 27<sup>th</sup>, 2024, to request a variance for a reduced street setback to accommodate the addition. Any approvals by this board will be conditional upon a successful variance approval.

The planned façade will mimic the existing with use of new similarly colored brick. However, there will be an increased number of windows. Many of the existing elements, such as the awning, will be reused on other areas of the building. Existing planting beds will be removed and replaced with a planting bed on the north side of the building and mowed grass elsewhere. Although they are not required by the city, the addition of two street trees are planned along Michigan Street and one along N 5<sup>th</sup>. The species and placement have not yet been determined. The church intends to reuse the current ground lighting which faces up toward the building and sign. The current sign will also be reused but located closer to the corner of Michigan Street and N 5<sup>th</sup> Avenue. At this time, there is no proposed landscaping around the sign.

Ms. Schopf asks if the new location of the sign will have any impact on the traffic in the area. Mr. Witalison of Stantec, replies that it is a slight move and he doesn't expect that it will impact traffic at all.

The members and Mr. Witalison discuss different aspects of the ramp including the location and number of railings and the incline required by the ADA. Mr. Witalison explains that they could not use a more direct access ramp because the incline would be greater than what is allowed by the ADA.

The members also discuss the upward facing lights and whether or not they are on all night. They note that the city has been moving toward downward facing lighting however, there doesn't seem to be any concern from the neighbors, and they aren't making any changes to the current lighting.

Mr. Birmingham motioned to approve the façade of the addition, the landscaping and the new sign location as presented. Motion seconded by Ms. Schopf. All ayes, motion carried unanimously.

**Adjourn:** Moved by Mr. Augustson, seconded by Ms. Schopf to adjourn. All ayes. Carried. The meeting adjourned at 6:27 p.m.

Respectfully submitted,

  
Colleen Michiels  
Community Development  
Administrative Assistant

**CITY OF STURGEON BAY  
Zoning Board of Appeals  
February 27, 2024**

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, and Dave Augustson were present. Member William Chaudoir appeared via zoom. Members Nancy Schopf and Morgan Rusnak were excused. Staff present were Planner/Zoning Administrator Stephanie Servia and Community Development Administrative Assistant Colleen Michiels.

**Adoption of agenda:** Moved by Mr. Augustson, seconded by Mr. Murrock to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from January 9, 2024.
4. Public Hearing: Street yard variance from Section 20.27(2) of the municipal code for Christ the King Church located at 2 N 5<sup>th</sup> Avenue.
5. Consideration of: Street yard variance from Section 20.27(2) of the municipal code for Christ the King Church located at 2 N 5<sup>th</sup> Avenue.
6. Adjourn.

All ayes. Carried.

**Approval of minutes from January 9, 2024:** Moved by Mr. Augustson, seconded by Mr. Chaudoir to approve the minutes of January 9, 2024. All ayes. Motion carried.

**Public Hearing: Street yard variance from Section 20.27(2) of the municipal code for Christ the King Church located at 2 N 5<sup>th</sup> Avenue:** Chairperson Murrock opened the public hearing at 12:04 p.m. Ms. Servia explained that Christ the King Episcopal Church is petitioning for a variance from Chapter 20 of the Municipal Code so they may add a 474 square foot addition onto their building located on their property at 2 N 5<sup>th</sup> Avenue. The property is zoned R-2 which requires a 20-foot street setback, side yards of 8 feet, and rear yard setbacks of 25 feet. The church is requesting a 13.5-foot setback from N 5<sup>th</sup> street to accommodate their addition which includes a meeting room, an ADA bathroom and ADA ramp access.

Ms. Servia further explains that this parcel is more restricted in terms of building space because it is a corner lot which requires street setbacks from two streets. She goes on to explain the reasons for street setbacks were established and adds that without a variance, the church would only be able to add an additional 11.5 feet before reaching the required setback.

Skyler Witalison of Stantec located at 312 N 5<sup>th</sup> Avenue and Cole, a representative from Keller explain the project and the need for the variance. They explain that while there is currently a small ramp on the west side of the building, there is no ADA accessible restroom – which is the main purpose of this addition.

Mr. Murrock questions if they have gone back as far as they can, and the representatives confirmed that they have. Mr. Murrock also asks about the foundation of the building and if there were any underground utilities that would need to be moved. Mr. Witalison explains that only part of the church has a basement and there is stormwater management about two feet underground which will need to be moved. He adds that this has already been discussed with and approved by the city engineer.

Mr. Chaudoir asks about the ground cover. Cole from Keller explains that there is a group of church members that will handle the plantings. Everyone agrees that the current landscaping is beautiful, and the members think that it is important to maintain something similar. Mr. Augustson asks if any trees will be affected by the addition. The representatives confirm that the two front trees will remain but the silver maple in the northwest corner will likely have to be removed.

Mr. Murrock asks Ms. Servia if additional parking will be needed. To which she replies that in this case, there is no additional seating being added so no additional parking would be required.

Dale Logan, of 1849 Georgia Street, is the current junior warden at the church explains that while there is currently a small bathroom in the church, there is a step that goes up into it making it inaccessible for those with disabilities. He reiterates the need to have an ADA accessible bathroom to accommodate the public and the aging parishioners. He also assures members that the landscaping will be at least as spectacular as it currently is. When asked, he also confirms that he has no knowledge of any issues between any neighbors and the church.

No members of the public were present, and no letters were submitted. The public hearing was closed at 12:22 p.m.

Mr. Augustson states that while the proposed plan is the only way they could add enough space for an ADA bathroom, he doesn't feel that they need 474 square feet for that purpose. However, he does sympathize with the current cost of construction, and agrees it makes financial sense to get the extra space while you are addressing the bathroom.

Mr. Chaudoir agrees with Mr. Augustson in regard to the excessive square footage but expresses concern about the significant encroachment. To which Mr. Augustson points out that even though this is a corner lot, the two roads meet at much less than ninety degrees and therefore construction right up to the sidewalk, if allowed, would not impede traffic. Ms. Servia adds that while the property isn't currently zoned commercial, there are neighboring parcels zoned as commercial which would support this parcel being zoned commercial if desired. A commercial zoning would allow them to request a setback right up to the sidewalk.

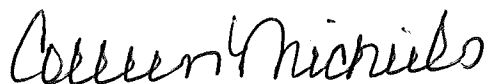
Mr. Chaudoir adds that if the variance is approved, he would like to see a minimum square footage required for landscaping and that a plan be prepared for approval by the city staff. Mr. Augustson agrees.

Mr. Murrock motioned to approve the variance.

Mr. Chaudoir moved to amend the motion subject to an improved landscape plan, approved by staff, providing a minimum square footage of landscaping of that which currently exists. Seconded by Mr. Augustson. All ayes, carried. Vote on original motion as amended to read: motion to approve the variance subject to an improved landscape plan, approved by staff, providing a minimum square footage of landscaping of that which currently exists. All ayes, motion carried.

Moved by Mr. Chaudoir, seconded by Mr. Augustson to adjourn. All ayes. Motion carried. The meeting adjourned at 12:21 p.m.

Respectfully submitted,



Colleen Michiels  
Community Development Administrative Assistant



## POLICE AND FIRE COMMISSION

February 28, 2024

A meeting of the Police and Fire Commission was called to order at 3:00 p.m. by Commission President Wayne Spritka in the Community Room at the Sturgeon Bay Municipal Building. **Roll**

**Call:** Commissioner Spritka, Commissioner Poulton, Commissioner Hurley, Commissioner Kurschner and Commissioner VanDyke were present.

*Moved by Commissioner VanDyke, seconded by Commissioner Hurley to adopt the following amended agenda:*

1. Call to Order
2. Roll Call
3. Adoption of Agenda
4. Approval of Minutes from February 5, 2024
5. Consideration of: Police and Fire Commission Rules and Regulations
6. **Consideration of: Process to fill Fire Chief Position**
6. ~~Convene in Closed Session in accordance with the following exemption:~~

~~Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Wis. Stats. 19.85(1)(c)~~

~~a. Consideration of: Process to fill Fire Chief Position~~

~~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.~~

7. ~~Reconvene in open session.~~
8. Set date for next meeting
9. Adjourn.

*All ayes. Carried.*

### **Approval of Minutes:**

*Moved by Commissioner Poulton, seconded by Commissioner Hurley to approve the minutes from the February 5, 2024 meeting. All ayes. Carried.*

### **Rules and Regulations:**

The Commission went through each page of the Police and Fire Commission Rules and Regulations dated November 2023. Note: this version was reviewed by Sturgeon Bay City Administrator Josh VanLieshout and City Attorney James Kalney prior to the meeting. Changes were noted and will be made and presented at the next meeting.

### **Process to fill Fire Chief Position**

The Commission would like to review the job description and application of the Fire Chief position; those will be sent prior to the next meeting. Also requested was the questions used for the most recent hiring of the Police Chief position.

Noted by Chief Montevideo, progression through the ranks of part-time, full-time, lieutenant, etc. is typically how the process was done. Commissioner Poulton and Commissioner VanDyke both agreed they would like to see a promotion from within the Department.

**Adjourn:**

*Moved by Commissioner Hurley, seconded by Commissioner Poulton to adjourn. All ayes.  
Carried. Time of 5:00 p.m.*

Respectfully submitted,

A handwritten signature in cursive script that reads "Sarah Spude-Olson".

Sarah Spude-Olson  
Office Manager

**FINANCE/PURCHASING & BUILDING COMMITTEE**  
**March 5, 2024**

A meeting of the Finance/Purchasing & Building Committee was called to order at 5:49 pm by Chairperson Bacon in the Council Chambers, City Hall. Roll call: Alderpersons Bacon, Wiederanders and Williams were present. Also present: Alderperson Gustafson, Alderperson Nault, Alderperson Reeths, City Administrator VanLieshout, and City Treasurer/Finance Director Clarizio.

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. Review bills.
5. Adjourn.

Carried.

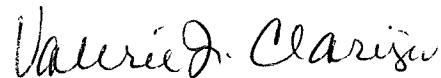
No one spoke during public comment.

Review bills

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

Moved by Alderperson Williams, seconded by Alderperson Wiederanders to adjourn. Carried. The meeting adjourned at 5:51 pm.

Respectfully submitted,



Valerie J. Clarizio  
City Treasurer/Finance Director

**Harbor Commission Meeting  
March 13, 2024**

A meeting of the Harbor Commission was called to order by Chairperson Nault at 3:31 p.m. in Council Chambers, City Hall, 421 Michigan Street. Members Gary Nault, Nancy Schopf, Paul Mickelson, and Steve Propsom were present. Caitlin Oleson and Robert Spude were absent. Also present were Municipal Services Director Mike Barker, Community Development Director Marty Olejniczak, Planning/Zoning Administrator Stephanie Servia, Municipal Services Administrative Assistant Colleen DeGrave, and Municipal Services Secretary Stephanie Gomez.

Moved by Steve Propsom, second by Nancy Schopf to adopt the following agenda:

1. Roll Call
2. Adoption of Agenda
3. Public Comment
4. Consideration of: Harbor Improvement Plan
5. Adjourn

Carried.

**Public Comment:**

Chris Kellems, 120 Alabama St. spoke.

**Consideration of: Harbor Improvement Plan**

Discussion took place regarding the City of Sturgeon Bay Harbor Improvement Plan. Chairperson Nault explained this is done every year to be eligible for DOT grants, and without the Harbor Improvement Plan in place, the City would not be eligible to apply for the grants.

Moved by Paul Mickelson, seconded by Nancy Schopf, to approve the Harbor Improvement Plan. All in favor. Carried.

Motion by Nancy Schopf, second by Gary Nault to adjourn. Meeting adjourned at 3:45 p.m.

Respectfully Submitted,



Colleen DeGrave  
Municipal Services Administrative Assistant

## EXECUTIVE SUMMARY

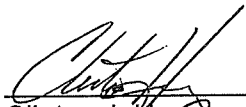
TITLE: Purchase of Used Vehicle

BACKGROUND: Sturgeon Bay Police Department 2024 budget included money allocated to replace an administrative vehicle. The City of Sturgeon Bay Purchasing & Property Accountability Policy allows department heads to obtain permission from the Mayor and City Administrator to purchase used vehicles without going through the formal bidding process. The Police Department did obtain permission from both the Mayor and City Administrator to purchase a used vehicle not to exceed the budgeted amount.

Police Department did purchase a 2022 Chevrolet Equinox from Reliable Automobile Sales for \$27,529.00. City Administrator did declare the 2013 Ford Escape as surplus; therefore, the Police Department did trade in the Escape for \$3,500.00. A title fee of \$164.50 was required at the time of purchase. After the trade-in and titling fee the total purchase was \$24,193.50.

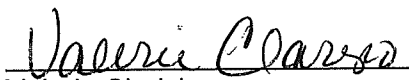
FISCAL IMPACT: This will be used as a public safety vehicle. There will be some additional expenses; however, it will not exceed the budgeted \$30,000.00.

PREPARED BY:

  
Clinton J. Henry  
Chief Sturgeon Bay Police Department

2-7-24  
Date

REVIEWED BY:

  
Valerie Clarizio  
Finance Director/City Treasurer

2/9/24  
Date

APPROVED BY:

\_\_\_\_\_  
Josh VanLieshout  
City Administrator

\_\_\_\_\_  
Date

**USED MOTOR VEHICLE PURCHASE CONTRACT** THIS IS AN OFFER TO PURCHASE THAT WILL BECOME A BINDING MOTOR VEHICLE PURCHASE CONTRACT IF ACCEPTED BY THE DEALER. THE DEALER MUST ACCEPT OR REJECT THE OFFER WITHIN 2 WORKING HOURS OR THE OFFER IS AUTOMATICALLY VOIDED AND YOU MAY RESCIND THE OFFER UNLESS AND UNTIL ACCEPTED BY THE DEALER. UNTIL ACCEPTANCE OR REJECTION OF THE OFFER THE DEALER SHALL BE PROHIBITED FROM SELLING THE VEHICLE TO ANY OTHER PARTY.

Dealer is not a party to any manufacturer warranties. Warranty terms may be negotiable. Terms agreed to on the purchase contract are final.

## WARRANTY & SERVICE CONTRACT INFORMATION

Refer to separate document for coverages and exclusions. Dealer disclaims implied warranties of merchantability and fitness for a particular purpose.

**AS IS – NO WARRANTY.** Unless "Dealership" is checked under Limited Extended Warranty, this vehicle is sold AS IS and the dealer assumes no responsibility for any repairs regardless of any oral statements about the vehicle.

**IMPORTANT:** Ask for all promises in writing. Spoken promises are difficult to enforce. Warranty terms may be negotiable. Terms agreed to on the purchase contract are final.

## Manufacturer Warranty Information

(Dealer is not a party to any manufacturer warranty)

- ☐ Original Manufacturer Warranty (either new or remaining)

Expiration: \_\_\_\_\_ (date) \_\_\_\_\_ (miles), whichever comes first.

Deductible: \_\_\_\_\_ Transfer fee: \_\_\_\_\_

- ☐
- Original Manufacturer Warranty EXPIRED or NOT KNOWN

- ☐ Original Manufacturer Warranty CANCELLED due to history

- LIMITED EXTENDED WARRANTY/SERVICE CONTRACT**

provided by: ☐ Manufacturer ☐ Warranty company ☐ Dealership

Duration: \_\_\_\_\_ (months) \_\_\_\_\_ (miles), whichever comes first.

Deductible: \_\_\_\_\_ Transfer fee: \_\_\_\_\_

Percentage of repair costs to be paid by you: \_\_\_\_\_

Warranty term begins on: \_\_\_\_\_

### OTHER CONDITIONS OF SALE

ANTICIPATED DELIVERY DATE: \_\_\_\_\_, 20\_\_\_\_

Regardless of reason, if the vehicle ordered by the purchaser is not available for delivery within 15 calendar days after the anticipated delivery date, the purchaser may cancel this order and shall, within one business day, receive a full refund of any down payment, and return of trade-in vehicle, or title for trade-in vehicle, or both. If the trade-in is not available, the purchaser shall receive the trade-in allowance. Unless delivery date is otherwise qualified on the purchase contract by the purchaser, if the ordered vehicle becomes available for delivery prior to the stated anticipated delivery date, the dealer licensee may require acceptance not less than 21 calendar days after having notified the purchaser of availability of delivery, in which case no penalty shall be assessed for nonacceptance of delivery prior to the stated anticipated delivery date.

- ☐ **This is a Finance Transaction.** (Check A, or B.):  
Closing scheduled at dealer's office on specified delivery date or as mutually agreed. You are obligated to purchase, subject to availability of financing through dealer, on terms:

- A. ☐ In attached disclosure. These items do not extend beyond the closing date if dealer is willing and able to deliver vehicle on these terms.
- B. ☐ Acceptable to You.

- ☐ This transaction is subject to financing being arranged through creditor of Your choice. You must obtain acceptable financing and dealer must receive written notice by (date) \_\_\_\_\_ or this contract is void.

THE APPRAISAL OF THE TRADE-IN IS BASED ON AN ODOMETER READING OF UP TO

**FINANCE/PURCHASING & BUILDING COMMITTEE**  
**February 13, 2024**

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, Williams and Wiederanders were present. Also present: City Treasurer/Finance Director Clarizio, Police Chief Henry, 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 amended agenda:

1. Roll call.
2. Adoption of agenda.
3. Public comment on agenda items and other issues related to finance & purchasing.
4. Report re: Purchase of Used Vehicle.
5. Consideration of: Amendment to Development Agreement with Cobblestone Hotels Development, LLC.
6. Consideration of: Safe Boat Resurfacing
7. Consideration of: Community Recreation/Athletic Facility Feasibility Study.
8. Review bills.
9. Adjourn.

Carried.

The following spoke during public comment on agenda items and other issues related to finance & purchasing: Tyler Pluff, 407 S. 14<sup>th</sup> Ave, Sturgeon Bay.



Report re: Purchase of Used Vehicle.

Police Chief Henry informed the Committee that the police department recently purchased a used 2022 Chevrolet Equinox from Reliable Automobile Sales in the amount of \$24,193.50 including trade in of a 2013 Ford Escape after the City Administrator declared the vehicle surplus. The 2024 budget allocated \$30,000 for this purchase. The vehicle will be used as a public safety vehicle and will require the purchase of additional equipment but will remain under budget.

Consideration of: Amendment to Development Agreement with Cobblestone Hotel Development, LLC.

Community Development Director Olejniczak explained Cobblestone Hotel Development, LLC is requesting an extension for the completion date of the hotel. The request comes due to high interest rates and supply chain issues that they are asking to move the deadline to December 31, 2025. He stated the anticipated tax increment for TID #6 will not be impacted if the hotel is completed during 2025.

Moved by Alderperson Williams, seconded by Alderperson Wiederanders to recommend to Common Council to approve the development agreement as amended with Cobblestone Hotels Development, LLC extending the completion date deadline to December 31, 2025. Carried.

Review bills:

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

Moved by Alderperson Williams, seconded by Alderperson Wiederanders declaring a recess at 4:21pm. The meeting reconvened at 4:30.





# STURGEON BAY POLICE DEPARTMENT



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

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

From:               Assistant Chief Daniel J. Brinkman

Subject:            Monthly Report for February, 2024

Date:                March 12, 2024

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

## **Crimes Investigated**

The Department, during the month, investigated a total of 41 crimes.

These crimes can be broken down and classified as follows.

Theft.....	06
Fraud / Forgery.....	10
Domestic Abuse.....	01
Disorderly Conduct.....	08
Bail Jumping.....	02
Battery.....	01
Threats to Injure.....	02
Sex Offense.....	03
Child Abuse/Neglect.....	01
Elder Abuse/Neglect.....	01
Criminal Damage to Property.....	05
Violate Court Order.....	01
<b>TOTAL</b>	<b>41</b>



## Arrests

The Department completed a total of 123 arrests during the month. These arrests encompass violations from traffic to felony, and are listed below by type of violations and number of arrests for each category.

### A. Felony Crime Arrests

Bail Jumping.....	04
Discharge Bodily Fluids at Law Enforcement Officer.....	01
<b>TOTAL</b>	<b>05</b>

### B. Misdemeanor Crime Arrests

Disorderly Conduct.....	03
Bail Jump.....	01
Battery.....	04
Obstruct/ Resist Officer.....	01
Possess Drug Paraphernalia.....	01
Criminal Trespass to Dwelling.....	02
Violate Court Order.....	01
Theft.....	01
Retail Theft.....	01
<b>TOTAL</b>	<b>15</b>

Wisconsin Probation & Parole Arrests / Warrant Arrests.....	14
<b>TOTAL</b>	<b>14</b>

### C. Ordinance Violation Arrests

Disorderly Conduct .....	04
Retail Theft.....	04
Underage Possession/Consumption of Tobacco/Vape Products .....	03
Animal License Required .....	01
Possess Marijuana .....	01
Trespass to Land.....	01
<b>TOTAL</b>	<b>14</b>

### D. Traffic Crime Arrests

Operate while Revoked.....	03
Fail to Install Ignition Interlock Device.....	03
Operate While Intoxicated.....	01
<b>TOTAL</b>	<b>07</b>

### E. Traffic Violation Arrests

Speeding.....	26
No Valid Driver's License.....	04
Operate M/V without Insurance.....	04
Seatbelt Violations.....	01
Miscellaneous Violations.....	31
Operating While Intoxicated.....	02
<b>TOTAL</b>	<b>68</b>

In addition to the aforementioned arrests, the Department conducted a total of 205 traffic stops during the month and logged 126 violations for various motor vehicle defects and local ordinances and issued 101 written warnings for those violations. A total of 11 parking tickets were issued for violations throughout the city.

#### Traffic Accidents

The Department during the month investigated a total of 08 vehicle accidents. These accidents are categorized into four types.

A.	Motor Vehicle Accidents Involving Fatalities .....	00
B.	Motor Vehicle Accidents Involving Injuries.....	00
C.	Motor Vehicle Accidents Involving Property Damage .....	08
	(greater than \$1,000.00)	
D.	Motor Vehicle Accidents Involving Property Damage .....	00
	(less than \$1,000.00)	
	<b>TOTAL</b>	<b>08</b>

#### Police Service Calls

Department members handled 647 service calls during the month. These calls consist of both citizen requests for police service as described below (584), crimes investigated (41), traffic accidents investigated (08), and Wisconsin Probation and Parole Assists (14).

A.	Traffic and Road Incidents.....	159
	This category consists of all assignments involving assists to stranded motorists, directing traffic, complaints of noisy or otherwise disorderly vehicles, removing obstructions from roadways, and all parking problem complaints.	
B.	Noise Complaints.....	04
	These complaints involve private parties, licensed liquor establishments, and parties in public places.	
C.	Sick and Injured Persons.....	07
	Assistance rendered to the Ambulance Service and sick or injured persons.	
D.	Alarms.....	20
	Officers responded to activated burglar and hold-up alarms at area banks and other business establishments and residences as well as fire alarms.	
E.	Complaints Involving Animals.....	16
	Investigations by officers of noisy animals, loose animals, animal bites, wild animals and sick, injured or dead animal complaints.	
F.	Civil Disputes.....	05
	Arguments between neighbors, landlords and tenants, and family members where no crimes have been committed.	
G.	Escorts.....	01
	Transporting citizens, money escorts for area financial institutions, funerals, and for area industry and farming.	

H. Citizen Assist .....53

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

I. Assistance Rendered to Other Agencies.....09

Includes assistance to other law enforcement and government agencies.

J. Suspicious Person / Vehicle / Circumstance .....17

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

K. Self-Initiated Field Activity.....28

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

L. Juvenile Problems .....06

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

M. Miscellaneous Incidents .....233

Includes arrest warrants served, recovered property calls, unfounded calls for police service, minor calls for police service, and 9-1-1 calls investigated.

N. Welfare Checks .....26

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

**TOTAL 584**

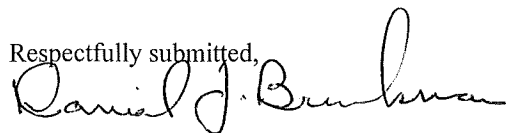
**Department Training**

The Joint SWAT Team and Dive Team completed their monthly training. Assistant Chief Dan Brinkman and Captain Chad Hougaard attended the Wisconsin Chief's of Police Winter Training Conference.

**Notes**

The Door County Multi-Jurisdictional Dive Team, which has officers of the Sturgeon Bay Police Department assigned and is commanded by SBPD Sgt. Jason Albertson, was called to assist in the search of various waterways for 3-year-old Elijah Vue from Two Rivers, who was reported missing on February 20<sup>th</sup>.

Respectfully submitted,




Assistant Chief Daniel J. Brinkman



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

## MEMO

To: Mayor and Common Council  
From: Valerie J. Clarizio, Finance Director/Treasurer   
Subject: 2023 Year-end and 2024 Year-to-date Financial Reports  
Date: March 12, 2024

The City has received the 'draft' 2023 financial audit numbers from WIPFLi LLP. As a result, please find the attached December 2023 bank reconciliation and financial report, as well as, the most current bank reconciliation and financial report for the year 2024, dated February 29, 2024. Since the February reports are cumulative, I did not include the January financial reports. However, if you would like copies of the financial reports for January please contact me and I will forward them to you.

# **DECEMBER 2023 BANK RECONCILIATION**

## **CHECKING ACCOUNTS**

GENERAL FUND		ARPA	
NICOLET		NICOLET	
PRIOR G/L BALANCE	4,152,512.73	110,315.59	
REVENUE	6,459,803.68	43.82	
DISBURSEMENTS	2,314,409.23	0.00	
AMOUNT IN TRANSIT	2,033.95	0.00	
ADJUSTMENTS	9,520.97	0.00	
ENDING BALANCE	8,305,394.20	110,359.41	

## **INVESTMENT ACCOUNTS**

GENERAL/CAPITAL FUND	
INVESTMENTS	
	1,738,829.16
	7,487.50
	3,376.78
	0.00
	(10,859.56)
	1,732,080.32

BANK BALANCE	8,360,801.08	110,359.41
LESS OUTS, CHECKS	55,406.88	0.00
	8,305,394.20	110,359.41

	1,732,080.32
	0.00
	1,732,080.32

## **SAVINGS ACCOUNTS**

GENERAL FUND		CAPITAL PROJECTS		CAPITAL PROJECTS DEBT		AFFORDABLE HOUSING		TID #2 PROJECTS		TID #2 DEBT SVC		TID #2 AMENDED AREA		TID #2 AMENDED AREA	
STATE - #2		STATE - #13		STATE - #15		TID		STATE - #3		STATE - #10		PROJECTS - STATE - #06		DEBT SVC - STATE - #7	
PRIOR G/L BALANCE	3,124,658.46	2,265,228.32	265,538.83	898,191.86	12,338.71	3,918,362.89	58,268.79	55.77	17,910.96	0.00	266.35	266.35	0.00	0.00	76,498.98
REVENUE	22,307.89	10,354.43	1,213.79	4,105.66	390.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	349.68
DISBURSEMENTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
AMOUNT IN TRANSIT	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ADJUSTMENTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ENDING BALANCE	3,146,966.35	2,275,582.75	266,752.62	902,297.52	12,004.48	3,936,273.85	58,535.14	12,004.48	3,936,273.85	58,535.14	76,848.66	76,848.66			
BANK BALANCE	3,146,966.35	2,275,582.75	266,752.62	902,297.52	12,004.48	3,936,273.85	58,535.14								

TID #3 PROJECTS		TID #3 DEBT SVC		TID #4 PROJECTS		TID #4 DEBT SVC		TID #5 DEBT SVC		TID #6 PROJECTS		TID #6 DEBT SVC	
STATE - #14		STATE - #08		STATE - #01		STATE - #12		STATE - #4		STATE - #5		STATE - #9	
PRIOR G/L BALANCE	5,516.48	751,849.97	787,897.79	180,030.61	9,966.80	330,854.11	57,023.05						
REVENUE	25.22	3,435.96	3,595.56	822.77	45.56	1,512.34	260.65						
DISBURSEMENTS	0.00	475.00	3,666.00	96.54	0.00	0.00	0.00						
AMOUNT IN TRANSIT	0.00	0.00	0.00	0.00	0.00	0.00	0.00						
ADJUSTMENTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00						
ENDING BALANCE	5,541.70	754,810.93	787,827.35	180,756.84	10,012.36	332,366.45	57,283.70						
BANK BALANCE	5,541.70	754,810.93	787,827.35	180,756.84	10,012.36	332,366.45	57,283.70						

3/13/2024

FOR FUND: GENERAL FUND  
FOR 12 PERIODS ENDING DECEMBER 31, 2023

7c4.

ITEMT DESCRIPTION	DECEMBER		%	FISCAL		ANNUAL	FISCAL		%
	BUDGET	ACTUAL		YEAR-TO-DATE BUDGET	ANCE	BUDGET	YEAR-TO-DATE ACTUAL	ANCE	
REVENUES									
GENERAL FUND	14,923,810.00	1,020,340.04	(93.1)	14,923,810.00	14,923,810.00	13,232,205.93	(11.3)		
TOTAL REVENUES	14,923,810.00	1,020,340.04	(93.1)	14,923,810.00	14,923,810.00	13,232,205.93	(11.3)		
EXPENSES									
GENERAL FUND	1,125,772.53	950.00	99.9	1,755,660.00	1,755,660.00	1,809,619.44	(3.0)		
MAYOR	16,675.00	1,022.68	93.8	16,675.00	16,675.00	12,272.16	26.4		
CITY COUNCIL	66,830.00	5,944.73	91.1	66,830.00	66,830.00	64,811.68	3.0		
LAW/LEGAL	90,000.00	49,772.04	44.6	90,000.00	90,000.00	140,499.26	(56.1)		
CITY CLERK-TREASURER	527,455.00	51,915.53	90.1	527,455.00	527,455.00	523,434.30	0.7		
ADMINISTRATION	214,220.00	9,244.18	95.6	214,220.00	214,220.00	207,923.28	2.9		
COMPUTER	231,450.00	47,175.50	81.2	251,450.00	251,450.00	259,278.52	(3.1)		
CITY ASSESSOR	81,416.67	4,916.67	93.9	81,600.00	81,600.00	64,901.54	20.4		
BOARD OF REVIEW	1,520.00	0.00	100.0	1,520.00	1,520.00	50.00	96.7		
BUILDING/ZONING CODE ENFORCEM	113,580.00	21,088.72	81.4	113,580.00	113,580.00	141,257.65	(24.3)		
Engineering	269,175.00	3,803.94	98.5	269,175.00	269,175.00	231,739.21	13.9		
PUBLIC WORKS ADMINISTRATION	249,720.00	32,053.86	87.1	249,720.00	249,720.00	261,706.36	(4.7)		
ELECTIONS DEPARTMENT	16,840.00	273.28	98.3	16,840.00	16,840.00	16,636.08	1.2		
CITY HALL	215,400.00	20,085.47	90.6	215,400.00	215,400.00	212,876.58	1.1		
INSURANCE	317,140.00	(7,722.06)	102.4	317,140.00	317,140.00	293,479.94	7.4		
GENERAL EXPENDITURES	1,918,140.00	87,339.73	95.4	1,918,140.00	1,918,140.00	489,269.50	74.4		
POLICE DEPARTMENT	657,430.00	90,448.34	86.2	657,430.00	657,430.00	655,320.30	0.3		
PATROL BOAT	17,385.00	502.98	97.1	17,385.00	17,385.00	3,104.57	82.1		
PARKING ENFORCEMENT	0.00	0.00	0.0	0.00	0.00	0.00	0.0		
POLICE DEPARTMENT/PATROL	2,368,590.00	339,286.28	85.6	2,368,590.00	2,368,590.00	2,278,000.52	3.8		
POLICE DEPT. / INVESTIGATIONS	171,790.00	24,250.73	85.8	171,790.00	171,790.00	145,304.16	15.4		
FIRE DEPARTMENT	2,215,760.00	324,293.26	85.3	2,215,760.00	2,215,760.00	2,344,500.08	(5.8)		
STORM SEWERS	36,470.00	799.09	97.8	36,470.00	36,470.00	17,582.27	51.7		
LARGE ITEM PICKUP / LEAF COLL	56,330.00	26,477.01	52.9	56,330.00	56,330.00	53,966.26	4.1		
COMPOST/SOLID WASTE SITE	0.00	0.00	0.0	0.00	0.00	0.00	0.0		
STREET SWEEPING	44,280.00	2,060.43	95.3	44,280.00	44,280.00	51,412.12	(16.1)		
WEED ABATEMENT	2,935.00	400.00	86.3	2,935.00	2,935.00	1,352.38	53.9		
ROADWAYS/STREETS	290,415.00	50,361.80	82.6	290,415.00	290,415.00	321,465.42	(10.6)		
SNOW REMOVAL	232,565.00	12,513.54	94.6	232,565.00	232,565.00	152,161.84	34.5		
STREET SIGNS AND MARKINGS	32,400.00	5,074.77	84.3	32,400.00	32,400.00	32,651.53	(1.3)		
CURB/GUTTER/SIDEWALK	37,505.00	410.33	98.9	37,505.00	37,505.00	37,872.82	(0.9)		
STREET MACHINERY	231,150.00	31,388.80	86.4	231,150.00	231,150.00	203,809.65	11.8		
CITY GARAGE	82,620.00	8,079.74	90.2	82,620.00	82,620.00	57,030.21	30.9		
CELEBRATION & ENTERTAINMENT	40,950.00	1,629.77	96.0	40,950.00	40,950.00	34,818.71	14.9		
HIGHWAYS - GENERAL	511,690.00	71,244.79	86.0	511,690.00	511,690.00	488,518.20	4.5		
PARK & RECREATION ADMIN	119,880.00	9,486.24	92.0	119,880.00	119,880.00	103,403.00	13.7		
PARKS AND PLAYGROUNDS	570,575.00	53,532.57	90.6	570,575.00	570,575.00	489,033.47	14.2		
BALDFIELDS	21,275.00	7,870.72	63.0	21,275.00	21,275.00	18,500.08	13.0		

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CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: GENERAL FUND  
FOR 12 PERIODS ENDING DECEMBER 31, 2023

DEPARTMENT DESCRIPTION	DECEMBER BUDGET	DECEMBER ACTUAL	VARI- ANCE	FISCAL		ANNUAL BUDGET	FISCAL		VARI- ANCE
				YEAR-TO-DATE BUDGET	%		YEAR-TO-DATE ACTUAL	%	
EXPENSES									
ICE RINKS	18,605.00	1,460.85	92.1	18,605.00		18,605.00	9,379.66	49.5	
BEACHES	3,670.00	0.00	100.0	3,670.00		3,670.00	975.02	73.4	
MUNICIPAL DOCKS	47,780.00	4,412.63	90.7	47,780.00		47,780.00	39,204.92	17.9	
WATER WEED MANAGEMENT	154,405.00	3,627.04	97.6	154,405.00		154,405.00	156,211.22	(1.1)	
WATERFRONT PARKS & WALKWAYS	88,930.00	4,653.74	94.7	88,930.00		88,930.00	74,864.62	15.8	
EMPLOYEE BENEFITS	46,520.00	(2,538.10)	105.4	46,520.00		46,520.00	26,606.94	42.8	
PUBLIC FACILITIES	59,400.00	0.00	100.0	59,400.00		59,400.00	47,352.64	20.2	
BOARDS AND COMMISSIONS	1,220.00	0.00	100.0	1,220.00		1,220.00	204.59	83.2	
COMMUNITY & ECONOMIC DEVLPMNT	448,880.00	32,357.69	92.7	448,880.00		448,880.00	412,284.74	8.1	
TOTAL EXPENSES	14,086,739.20	1,431,949.21	89.8	14,716,810.00		14,716,810.00	12,986,847.44	11.7	
TOTAL FUND REVENUES	14,923,810.00	1,020,340.04	(93.1)	14,923,810.00		14,923,810.00	13,232,205.93	(11.3)	
TOTAL FUND EXPENSES	14,086,739.20	1,431,949.21	89.8	14,716,810.00		14,716,810.00	12,986,847.44	11.7	
SURPLUS (DEFICIT)	837,070.80	(411,609.17)	(149.1)	207,000.00		207,000.00	245,358.49	18.5	

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: CAPITAL FUND  
FOR 12 PERIODS ENDING DECEMBER 31, 2023

DEPARTMENT DESCRIPTION	DECEMBER		% VARI- ANCE	FISCAL		ANNUAL BUDGET	FISCAL		% VARI- ANCE
	BUDGET	ACTUAL		YEAR-TO-DATE BUDGET	YEAR-TO-DATE ACTUAL		YEAR-TO-DATE ACTUAL	YEAR-TO-DATE ACTUAL	
REVENUES	4,297,483.00	703,404.23	(83.6)	4,297,483.00	4,297,483.00		4,364,694.98		1.5
PATROL									
TOTAL REVENUES	4,297,483.00	703,404.23	(83.6)	4,297,483.00	4,297,483.00		4,364,694.98		1.5
EXPENSES									
CITY CLERK-TREASURER	0.00	0.00	0.0	0.00	0.00	0.00	0.00	0.00	0.0
ADMINISTRATION	0.00	0.00	0.0	0.00	0.00	0.00	0.00	0.00	0.0
COMPUTER	37,000.00	11,868.76	67.9	37,000.00	37,000.00	46,412.69	46,412.69	(25.4)	
CITY ASSESSOR	10,000.00	0.00	100.0	10,000.00	10,000.00	0.00	0.00	100.0	
ENGINEERING	0.00	0.00	0.0	0.00	0.00	0.00	1,538.21	100.0	
ELECTIONS	0.00	0.00	0.0	0.00	0.00	0.00	0.00	0.0	
CITY HALL	121,481.00	3,793.00	96.8	121,481.00	121,481.00	162,296.26	162,296.26	(33.5)	
GENERAL EXPENDITURES	174,250.00	58,599.66	66.3	174,250.00	174,250.00	423,916.89	423,916.89	(143.2)	
POLICE DEPARTMENT	0.00	0.00	0.0	0.00	0.00	0.00	0.00	0.0	
PATROL BOAT	4,043.34	0.00	100.0	48,520.00	48,520.00	50,227.41	50,227.41	(3.5)	
POLICE	305,105.00	12,478.15	95.9	305,105.00	305,105.00	311,079.51	311,079.51	(1.9)	
POLICE DEPT. / INVESTIGATIONS	0.00	0.00	0.0	0.00	0.00	0.00	0.00	0.0	
FIRE DEPARTMENT	611,210.00	168,244.90	72.4	611,210.00	611,210.00	517,919.22	517,919.22	15.2	
STORM SEMERS	150,000.00	15,260.47	89.8	150,000.00	150,000.00	17,846.47	17,846.47	88.1	
SOLID WASTE MGMT/REFUSE/RECYC	0.00	0.00	0.0	0.00	0.00	0.00	0.00	0.0	
ROADWAYS/STREETS	0.00	0.00	0.0	0.00	0.00	0.00	0.00	0.0	
SNOW REMOVAL	1,882,217.00	16,614.36	99.1	1,882,217.00	1,882,217.00	949,011.62	949,011.62	49.5	
CURB/GUTTER/SIDEWALK	0.00	0.00	0.0	0.00	0.00	0.00	0.00	0.0	
CITY GARAGE	45,000.00	9,572.00	78.7	45,000.00	45,000.00	297,626.94	297,626.94	100.0	
PARKS AND PLAYGROUNDS	275,000.00	496,025.15	(80.3)	275,000.00	275,000.00	671,483.55	671,483.55	(144.1)	
BALLFIELDS	0.00	0.00	0.0	0.00	0.00	0.00	0.00	0.0	
ICE RINKS	0.00	0.00	0.0	0.00	0.00	0.00	0.00	0.0	
BEACHES	0.00	0.00	0.0	0.00	0.00	0.00	0.00	0.0	
MUNICIPAL DOCKS	130,000.00	0.00	100.0	130,000.00	130,000.00	31,910.44	31,910.44	75.4	
WATER WEED MANAGEMENT	505,500.00	60,734.00	87.9	505,500.00	505,500.00	208,949.45	208,949.45	58.6	
WATERFRONT PARKS & WALKWAYS	10,000.00	0.00	100.0	10,000.00	10,000.00	5,827.38	5,827.38	41.7	
SANITARY & WATER MAIN	0.00	0.00	0.0	0.00	0.00	0.00	0.00	0.0	
PUBLIC FACILITIES	0.00	0.00	0.0	0.00	0.00	0.00	20,750.00	100.0	
COMMUNITY & ECONOMIC DEVLPMT	0.00	0.00	0.0	0.00	0.00	0.00	0.00	0.0	
TOTAL EXPENSES	4,260,806.34	853,597.43	79.9	4,305,283.00	4,305,283.00	3,759,366.50	3,759,366.50	12.6	
TOTAL FUND REVENUES	4,297,483.00	703,404.23	(83.6)	4,297,483.00	4,297,483.00	4,364,694.98	4,364,694.98	1.5	
TOTAL FUND EXPENSES	4,260,806.34	853,597.43	79.9	4,305,283.00	4,305,283.00	3,759,366.50	3,759,366.50	12.6	
SURPLUS (DEFICIT)	36,676.66	(150,193.20)	(509.5)	(7,800.00)	(7,800.00)	605,328.48	605,328.48	(7860.6)	



CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: ARPA -AMERICAN RESCUE PLAN ACT  
FOR 12 PERIODS ENDING DECEMBER 31, 2023

DEPARTMENT DESCRIPTION	DECEMBER BUDGET	DECEMBER ACTUAL	%	FISCAL YEAR-TO-DATE BUDGET	ANNUAL BUDGET	FISCAL YEAR-TO-DATE ACTUAL	%
REVENUES							
ARPA / GENERAL	66.67	553,043.82	9424.2	800.00	800.00	555,179.15	9297.3
TOTAL REVENUES	66.67	553,043.82	9424.2	800.00	800.00	555,179.15	9297.3
EXPENSES							
ARPA / GENERAL	78,064.75	0.00	100.0	936,777.00	936,777.00	553,000.00	40.9
TOTAL EXPENSES	78,064.75	0.00	100.0	936,777.00	936,777.00	553,000.00	40.9
TOTAL FUND REVENUES	66.67	553,043.82	9424.2	800.00	800.00	555,179.15	9297.3
TOTAL FUND EXPENSES	78,064.75	0.00	100.0	936,777.00	936,777.00	553,000.00	40.9
SURPLUS (DEFICIT)	(77,998.08)	553,043.82	(809.0)	(935,977.00)	(935,977.00)	2,179.15	(100.2)

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: CABLE TV  
FOR 12 PERIODS ENDING DECEMBER 31, 2023

DEPARTMENT DESCRIPTION	DECEMBER BUDGET	DECEMBER ACTUAL	VARI- ANCE	FISCAL YEAR-TO-DATE BUDGET	ANNUAL BUDGET	FISCAL YEAR-TO-DATE ACTUAL	VARI- ANCE
REVENUES							
CABLE TV / GENERAL	132,527.09	1,230.65	(99.0)	160,325.00	160,325.00	160,551.49	0.1
TOTAL REVENUES	132,527.09	1,230.65	(99.0)	160,325.00	160,325.00	160,551.49	0.1
EXPENSES							
CABLE TV / GENERAL	175,025.00	67,767.02	61.2	175,025.00	175,025.00	144,299.80	17.5
TOTAL EXPENSES	175,025.00	67,767.02	61.2	175,025.00	175,025.00	144,299.80	17.5
TOTAL FUND REVENUES	132,527.09	1,230.65	(99.0)	160,325.00	160,325.00	160,551.49	0.1
TOTAL FUND EXPENSES	175,025.00	67,767.02	61.2	175,025.00	175,025.00	144,299.80	17.5
SURPLUS (DEFICIT)	(42,497.91)	(66,536.37)	56.5	(14,700.00)	(14,700.00)	16,251.69	(210.5)

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #6 DISTRICT  
FOR 12 PERIODS ENDING DECEMBER 31, 2023

DEPARTMENT DESCRIPTION	DECEMBER BUDGET	DECEMBER ACTUAL	%	FISCAL YEAR-TO-DATE BUDGET	ANNUAL BUDGET	FISCAL YEAR-TO-DATE ACTUAL	%
REVENUES							
TID #6 DISTRICT	614,180.00	1,772.99	(99.7)	614,180.00	614,180.00	779,997.89	26.9
TOTAL REVENUES	614,180.00	1,772.99	(99.7)	614,180.00	614,180.00	779,997.89	26.9
EXPENSES							
TID #6 DISTRICT	545,895.83	24,490.71	95.5	555,750.00	555,750.00	333,117.23	40.0
TOTAL EXPENSES	545,895.83	24,490.71	95.5	555,750.00	555,750.00	333,117.23	40.0
TOTAL FUND REVENUES	614,180.00	1,772.99	(99.7)	614,180.00	614,180.00	779,997.89	26.9
TOTAL FUND EXPENSES	545,895.83	24,490.71	95.5	555,750.00	555,750.00	333,117.23	40.0
SURPLUS (DEFICIT)	68,284.17	(22,717.72)	(133.2)	58,430.00	58,430.00	446,880.66	664.8

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #7 DISTRICT  
FOR 12 PERIODS ENDING DECEMBER 31, 2023

DEPARTMENT DESCRIPTION	DECEMBER	DECEMBER	%	FISCAL	ANNUAL	FISCAL	%
	BUDGET	ACTUAL		YEAR-TO-DATE BUDGET	BUDGET	YEAR-TO-DATE ACTUAL	
REVENUES							
TID #7 DISTRICT	561,750.00	0.00	100.0	561,750.00	561,750.00	0.00	100.0
TOTAL REVENUES	561,750.00	0.00	100.0	561,750.00	561,750.00	0.00	100.0
EXPENSES							
TID #7 DISTRICT	533,416.66	2,327.10	99.5	551,750.00	551,750.00	3,004.10	99.4
TOTAL EXPENSES	533,416.66	2,327.10	99.5	551,750.00	551,750.00	3,004.10	99.4
TOTAL FUND REVENUES	561,750.00	0.00	100.0	561,750.00	561,750.00	0.00	100.0
TOTAL FUND EXPENSES	533,416.66	2,327.10	99.5	551,750.00	551,750.00	3,004.10	99.4
SURPLUS (DEFICIT)	28,333.34	(2,327.10)	(108.2)	10,000.00	10,000.00	(3,004.10)	(130.0)

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #8 DISTRICT  
FOR 12 PERIODS ENDING DECEMBER 31, 2023

DEPARTMENT DESCRIPTION	DECEMBER BUDGET	DECEMBER ACTUAL	VARI- ANCE	FISCAL YEAR-TO-DATE BUDGET	ANNUAL BUDGET	FISCAL YEAR-TO-DATE ACTUAL	VARI- ANCE
EXPENSES							
TID #8 DISTRICT	0.00	15,179.71	100.0	0.00	0.00	39,218.31	100.0
TOTAL EXPENSES	0.00	15,179.71	100.0	0.00	0.00	39,218.31	100.0

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #2 DISTRICT  
FOR 12 PERIODS ENDING DECEMBER 31, 2023

DEPARTMENT DESCRIPTION	DECEMBER	DECEMBER	%	FISCAL	ANNUAL	FISCAL	%
	BUDGET	ACTUAL		YEAR-TO-DATE BUDGET	BUDGET	YEAR-TO-DATE ACTUAL	
REVENUES							
TID DISTRICT #2	1,447,876.00	18,582.76	(98.7)	1,447,876.00	1,447,876.00	1,672,009.78	15.4
TOTAL REVENUES	1,447,876.00	18,582.76	(98.7)	1,447,876.00	1,447,876.00	1,672,009.78	15.4
EXPENSES							
TID DISTRICT #2	1,455,578.92	2,110.90	99.8	1,456,216.00	1,456,216.00	1,392,404.67	4.3
TOTAL EXPENSES	1,455,578.92	2,110.90	99.8	1,456,216.00	1,456,216.00	1,392,404.67	4.3
TOTAL FUND REVENUES	1,447,876.00	18,582.76	(98.7)	1,447,876.00	1,447,876.00	1,672,009.78	15.4
TOTAL FUND EXPENSES	1,455,578.92	2,110.90	99.8	1,456,216.00	1,456,216.00	1,392,404.67	4.3
SURPLUS (DEFICIT)	(7,702.92)	16,471.86	(313.8)	(8,340.00)	(8,340.00)	279,605.11	(3452.5)

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: AFFORDABLE HOUSING TID  
FOR 12 PERIODS ENDING DECEMBER 31, 2023

DEPARTMENT DESCRIPTION	DECEMBER BUDGET	DECEMBER ACTUAL	%	FISCAL YEAR-TO-DATE BUDGET	ANNUAL BUDGET	FISCAL YEAR-TO-DATE ACTUAL	%
REVENUES							
TID #1 DISTRICT	857,511.00	4,105.66	(99.5)	857,511.00	857,511.00	902,297.52	5.2
TOTAL REVENUES	857,511.00	4,105.66	(99.5)	857,511.00	857,511.00	902,297.52	5.2
EXPENSES							
TID #1 DISTRICT	857,511.00	0.00	100.0	857,511.00	857,511.00	0.00	100.0
TOTAL EXPENSES	857,511.00	0.00	100.0	857,511.00	857,511.00	0.00	100.0
TOTAL FUND REVENUES	857,511.00	4,105.66	(99.5)	857,511.00	857,511.00	902,297.52	5.2
TOTAL FUND EXPENSES	857,511.00	0.00	100.0	857,511.00	857,511.00	0.00	100.0
SURPLUS (DEFICIT)	0.00	4,105.66	100.0	0.00	0.00	902,297.52	100.0

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #3 DISTRICT  
FOR 12 PERIODS ENDING DECEMBER 31, 2023

DEPARTMENT DESCRIPTION	DECEMBER BUDGET	DECEMBER ACTUAL	% VARI- ANCE	FISCAL YEAR-TO-DATE BUDGET	ANNUAL BUDGET	FISCAL YEAR-TO-DATE ACTUAL	% VARI- ANCE
REVENUES							
TID #3 DISTRICT	82,884.00	3,461.18	(95.8)	82,884.00	82,884.00	115,262.05	39.0
TOTAL REVENUES	82,884.00	3,461.18	(95.8)	82,884.00	82,884.00	115,262.05	39.0
EXPENSES							
TID #3 DISTRICT	117,584.00	1,202.26	98.9	117,584.00	117,584.00	113,337.26	3.6
TOTAL EXPENSES	117,584.00	1,202.26	98.9	117,584.00	117,584.00	113,337.26	3.6
TOTAL FUND REVENUES	82,884.00	3,461.18	(95.8)	82,884.00	82,884.00	115,262.05	39.0
TOTAL FUND EXPENSES	117,584.00	1,202.26	98.9	117,584.00	117,584.00	113,337.26	3.6
SURPLUS (DEFICIT)	(34,700.00)	2,258.92	(106.5)	(34,700.00)	(34,700.00)	1,924.79	(105.5)



CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #4 DISTRICT  
FOR 12 PERIODS ENDING DECEMBER 31, 2023

DEPARTMENT DESCRIPTION	DECEMBER		%	FISCAL		FISCAL	%
	BUDGET	ACTUAL		YEAR-TO-DATE BUDGET	ANNUAL BUDGET	YEAR-TO-DATE ACTUAL	
REVENUES							
TID #4 DISTRICT	420,592.00	7,927.70	(98.1)	610,342.00	610,342.00	754,877.19	23.6
TOTAL REVENUES	420,592.00	7,927.70	(98.1)	610,342.00	610,342.00	754,877.19	23.6
EXPENSES							
TID #4 DISTRICT	0.00	0.00	0.0	0.00	0.00	0.00	0.0
TID #4 DISTRICT	1,098,484.60	20,633.90	98.1	1,157,220.00	1,157,220.00	539,959.89	53.3
TOTAL EXPENSES	1,098,484.60	20,633.90	98.1	1,157,220.00	1,157,220.00	539,959.89	53.3
TOTAL FUND REVENUES	420,592.00	7,927.70	(98.1)	610,342.00	610,342.00	754,877.19	23.6
TOTAL FUND EXPENSES	1,098,484.60	20,633.90	98.1	1,157,220.00	1,157,220.00	539,959.89	53.3
SURPLUS (DEFICIT)	(677,892.60)	(12,706.20)	(98.1)	(546,878.00)	(546,878.00)	214,917.30	(139.2)

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #5 DISTRICT  
FOR 12 PERIODS ENDING DECEMBER 31, 2023

DEPARTMENT DESCRIPTION	DECEMBER BUDGET	DECEMBER ACTUAL	%	FISCAL YEAR-TO-DATE BUDGET	ANNUAL BUDGET	FISCAL YEAR-TO-DATE ACTUAL	%
REVENUES							
TID #5 DISTRICT	850,408.00	45.56	(99.9)	850,408.00	850,408.00	10,012.36	(98.8)
TOTAL REVENUES	850,408.00	45.56	(99.9)	850,408.00	850,408.00	10,012.36	(98.8)
EXPENSES							
TID #5 DISTRICT	765,446.00	202,855.28	73.4	765,446.00	765,446.00	274,645.28	64.1
TOTAL EXPENSES	765,446.00	202,855.28	73.4	765,446.00	765,446.00	274,645.28	64.1
TOTAL FUND REVENUES	850,408.00	45.56	(99.9)	850,408.00	850,408.00	10,012.36	(98.8)
TOTAL FUND EXPENSES	765,446.00	202,855.28	73.4	765,446.00	765,446.00	274,645.28	64.1
SURPLUS (DEFICIT)	84,962.00	(202,809.72)	(338.7)	84,962.00	84,962.00	(264,632.92)	(411.4)

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: REVOLVING LOAN FUND (STATE)  
FOR 12 PERIODS ENDING DECEMBER 31, 2023

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

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #9 DISTRICT  
FOR 12 PERIODS ENDING DECEMBER 31, 2023

DEPARTMENT DESCRIPTION	DECEMBER	DECEMBER	% VARI- ANCE	FISCAL		ANNUAL	FISCAL		% VARI- ANCE
	BUDGET	ACTUAL		YEAR-TO-DATE BUDGET	ACTUAL		YEAR-TO-DATE BUDGET	ACTUAL	
REVENUES									
TID #9 DISTRICT	0.00	0.00	0.0	0.00	0.00	0.00	0.00	0.0	
TOTAL REVENUES	0.00	0.00	0.0	0.00	0.00	0.00	0.00	0.0	
EXPENSES									
TID #9 DISTRICT	0.00	8,991.79	100.0	0.00	0.00	0.00	15,991.79	100.0	
TOTAL EXPENSES	0.00	8,991.79	100.0	0.00	0.00	0.00	15,991.79	100.0	
TOTAL FUND REVENUES	0.00	0.00	0.0	0.00	0.00	0.00	0.00	0.0	
TOTAL FUND EXPENSES	0.00	8,991.79	100.0	0.00	0.00	0.00	15,991.79	100.0	
SURPLUS (DEFICIT)	0.00	(8,991.79)	100.0	0.00	0.00	0.00	(15,991.79)	100.0	

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #10 DISTRICT  
FOR 12 PERIODS ENDING DECEMBER 31, 2023

DEPARTMENT DESCRIPTION	FISCAL		%	FISCAL		%
	DECEMBER BUDGET	DECEMBER ACTUAL		YEAR-TO-DATE BUDGET	YEAR-TO-DATE ACTUAL	
REVENUES						
TID #10 DISTRICT	0.00	0.00	0.0	0.00	0.00	0.0
TOTAL REVENUES	0.00	0.00	0.0	0.00	0.00	0.0
EXPENSES						
TID #10 DISTRICT	0.00	29,256.55	100.0	0.00	47,476.06	100.0
TOTAL EXPENSES	0.00	29,256.55	100.0	0.00	47,476.06	100.0
TOTAL FUND REVENUES	0.00	0.00	0.0	0.00	0.00	0.0
TOTAL FUND EXPENSES	0.00	29,256.55	100.0	0.00	47,476.06	100.0
SURPLUS (DEFICIT)	0.00	(29,256.55)	100.0	0.00	(47,476.06)	100.0

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: SOLID WASTE ENTERPRISE  
FOR 12 PERIODS ENDING DECEMBER 31, 2023

DEPARTMENT DESCRIPTION	DECEMBER BUDGET	DECEMBER ACTUAL	%	FISCAL		ANNUAL BUDGET	FISCAL		%
				YEAR-TO-DATE	BUDGET		YEAR-TO-DATE	ACTUAL	
REVENUES									
SOLID WASTE ENTERPRISE FUND	615,276.25	52,000.13	(91.5)	623,870.00	623,870.00	624,240.36	0.0		
TOTAL REVENUES	615,276.25	52,000.13	(91.5)	623,870.00	623,870.00	624,240.36	0.0		
EXPENSES									
SOLID WASTE ENTERPRISE FUND	631,342.95	148,917.42	76.4	694,625.00	694,625.00	626,692.30	9.7		
TOTAL EXPENSES	631,342.95	148,917.42	76.4	694,625.00	694,625.00	626,692.30	9.7		
TOTAL FUND REVENUES	615,276.25	52,000.13	(91.5)	623,870.00	623,870.00	624,240.36	0.0		
TOTAL FUND EXPENSES	631,342.95	148,917.42	76.4	694,625.00	694,625.00	626,692.30	9.7		
SURPLUS (DEFICIT)	(16,066.70)	(96,917.29)	503.2	(70,755.00)	(70,755.00)	(2,451.94)	(96.5)		

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: COMPOST SITE ENTERPRISE FUND  
FOR 12 PERIODS ENDING DECEMBER 31, 2023

DEPARTMENT DESCRIPTION	DECEMBER BUDGET	DECEMBER ACTUAL	% VARI- ANCE	FISCAL		ANNUAL BUDGET	FISCAL		% VARI- ANCE
				YEAR-TO-DATE BUDGET			YEAR-TO-DATE ACTUAL		
REVENUES									
COMPOST SITE ENTERPRISE FUND	22,456.68	13,177.25	(41.3)	159,480.00		159,480.00	160,387.89		0.5
TOTAL REVENUES	22,456.68	13,177.25	(41.3)	159,480.00		159,480.00	160,387.89		0.5
EXPENSES									
COMPOST SITE ENTERPRISE FUND	8,670.47	25,422.94	(193.2)	104,045.00		104,045.00	92,447.90		11.1
TOTAL EXPENSES	8,670.47	25,422.94	(193.2)	104,045.00		104,045.00	92,447.90		11.1
TOTAL FUND REVENUES	22,456.68	13,177.25	(41.3)	159,480.00		159,480.00	160,387.89		0.5
TOTAL FUND EXPENSES	8,670.47	25,422.94	(193.2)	104,045.00		104,045.00	92,447.90		11.1
SURPLUS (DEFICIT)	13,786.21	(12,245.69)	(188.8)	55,435.00		55,435.00	67,939.99		22.5

MUNICIPAL REPORT TOTALS  
FOR 12 PERIODS ENDING DECEMBER 31, 2023

DEPARTMENT DESCRIPTION	DECEMBER BUDGET	DECEMBER ACTUAL	VARI- ANCE	FISCAL		FISCAL	
				YEAR-TO-DATE BUDGET	ANNUAL BUDGET	YEAR-TO-DATE ACTUAL	VARI- ANCE
TOTAL MUNICIPAL REVENUES	24,826,820.69	2,379,091.97	(90.4)	25,190,719.00	25,190,719.00	23,331,716.59	(7.3)
TOTAL MUNICIPAL EXPENSES	24,614,565.72	2,834,702.22	88.4	26,394,042.00	26,394,042.00	20,921,808.53	20.7
SURPLUS (DEFICIT)	212,254.97	(455,610.25)	(314.6)	(1,203,323.00)	(1,203,323.00)	2,409,908.06	(300.2)



FEBRUARY 2024 BANK RECONCILIATION

CHECKING ACCOUNTS

GENERAL FUND		ARPA
NICOLET		NICOLET
PRIOR G/L BALANCE	12,347,668.05	110,409.30
REVENUE	3,614,092.52	43.86
DISBURSEMENTS	7,810,984.84	0.00
AMOUNT IN TRANSIT	383.92	0.00
ADJUSTMENTS	52,987.53	0.00
ENDING BALANCE	8,203,379.34	110,453.16

BANK BALANCE	8,235,445.30	110,453.16
LESS OUTS, CHECKS	32,065.96	0.00
	8,203,379.34	110,453.16

INVESTMENT ACCOUNTS

GENERAL/CAPITAL FUND	
INVESTMENTS	
	1,739,856.45
	5,309.30
	4,317.86
	0.00
	0.00
	1,740,847.89

	1,740,847.89
	1,740,847.89

SAVINGS ACCOUNTS

GENERAL FUND		CAPITAL PROJECTS	CAPITAL PROJECTS DEBT		AFFORDABLE HOUSING		TID #2 PROJECTS	TID #2 DEBT SVC	TID #2 AMENDED AREA	TID #2 AMENDED AREA
STATE - #2		STATE - #13	STATE - #15		STATE - #11		STATE - #3	STATE - #10	PROJECTS - STATE - #06	DEBT SVC. - STATE - #7
PRIOR G/L BALANCE	2,632,207.13	2,285,973.40	267,970.65	906,417.55	12,059.29	4,330,602.71	58,802.42	146,349.92		
REVENUE	1,033,343.64	9,249.99	1,143.62	3,868.31	50.74	482,518.07	250.52	82,614.98		
DISBURSEMENTS	660,259.21	869,432.35	0.00	0.00	1,228.14	0.00	727.26	0.00		
AMOUNT IN TRANSIT	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
ADJUSTMENTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
ENDING BALANCE	3,005,291.56	1,425,791.04	269,114.27	910,285.86	10,881.89	4,813,120.78	58,325.68	228,964.90		

BANK BALANCE	3,005,291.56	1,425,791.04	269,114.27	910,285.86	10,881.89	4,813,120.78	58,325.68	228,964.90		
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TID #3 PROJECTS	TID #3 DEBT SVC	TID #4 PROJECTS	TID #4 DEBT SVC	TID #5 DEBT SVC	TID #6 PROJECTS	TID #6 DEBT SVC	TID #7 DEBT SVC
STATE - #14	STATE - #08	STATE - #01	STATE - #12	STATE - #4	STATE - #5	STATE - #9	STATE - #16
PRIOR G/L BALANCE	5,567.00	784,209.27	791,424.69	221,191.06	19,238.94	333,884.09	73,372.08
REVENUE	23.33	34,117.33	10,486.36	47,852.76	10,967.70	1,410.50	19,078.71
DISBURSEMENTS	727.26	0.00	28,470.29	93,057.50	0.00	24,490.71	0.00
AMOUNT IN TRANSIT	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ADJUSTMENTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ENDING BALANCE	4,863.07	818,326.60	773,440.76	175,986.32	30,206.64	310,803.88	92,450.79

BANK BALANCE	4,863.07	818,326.60	773,440.76	175,986.32	30,206.64	310,803.88	92,450.79
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CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

PAGE: 1  
F-YR: 24

FOR FUND: GENERAL FUND  
FOR 2 PERIODS ENDING FEBRUARY 29, 2024

ITEM DESCRIPTION	FEBRUARY		% VARI-ANCE	FISCAL YEAR-TO-DATE		ANNUAL BUDGET	FISCAL YEAR-TO-DATE		% VARI-ANCE
	BUDGET	ACTUAL		BUDGET	ACTUAL		ACTUAL	ACTUAL	
REVENUES									
GENERAL FUND	15,800,119.00	2,980,337.00	(81.1)	15,800,119.00	15,800,119.00	6,466,497.48	(59.0)		
TOTAL REVENUES	15,800,119.00	2,980,337.00	(81.1)	15,800,119.00	15,800,119.00	6,466,497.48	(59.0)		
EXPENSES									
GENERAL FUND	1,001,884.15	475.00	99.9	1,072,883.30	1,782,875.00	475.00	99.9		
MAYOR	16,675.00	1,022.68	93.8	16,675.00	16,675.00	2,045.36	87.7		
CITY COUNCIL	67,550.00	5,009.68	92.5	67,550.00	67,550.00	14,473.21	78.5		
LAW/LEGAL	115,000.00	9,830.00	91.4	115,000.00	115,000.00	8,686.00	92.4		
CITY CLERK-TREASURER	569,025.00	39,297.11	93.0	569,025.00	569,025.00	82,323.28	85.5		
ADMINISTRATION	249,900.00	18,737.05	92.5	249,900.00	249,900.00	34,626.63	86.1		
COMPUTER	202,300.00	68,401.61	66.1	202,300.00	202,300.00	102,154.91	49.5		
CITY ASSESSOR	79,916.66	4,750.00	94.0	79,933.32	80,100.00	13,103.02	83.6		
BOARD OF REVIEW	1,520.00	0.00	100.0	1,520.00	1,520.00	0.00	100.0		
BUILDING/ZONING CODE ENFORCEM	135,510.00	4,165.70	96.9	135,510.00	135,510.00	4,165.70	96.9		
Engineering	281,225.00	23,090.47	91.7	281,225.00	281,225.00	41,203.10	85.3		
PUBLIC WORKS ADMINISTRATION	308,385.00	20,856.23	93.2	308,385.00	308,385.00	39,343.76	87.2		
ELECTIONS DEPARTMENT	37,920.00	0.00	100.0	37,920.00	37,920.00	0.00	100.0		
CITY HALL	234,015.00	14,605.78	93.7	234,015.00	234,015.00	25,923.09	88.9		
INSURANCE	374,160.00	74,032.25	80.2	374,160.00	374,160.00	112,685.43	69.8		
GENERAL EXPENDITURES	2,117,824.00	24,590.38	98.8	2,117,824.00	2,117,824.00	17,971.73	99.1		
POLICE DEPARTMENT	693,295.00	53,622.57	92.2	693,295.00	693,295.00	93,978.83	86.4		
PATROL BOAT	17,450.00	0.00	100.0	17,450.00	17,450.00	0.00	100.0		
PARKING ENFORCEMENT	0.00	0.00	0.0	0.00	0.00	0.00	0.0		
POLICE DEPARTMENT/PATROL	2,433,470.00	169,009.54	93.0	2,433,470.00	2,433,470.00	309,401.02	87.2		
POLICE DEPT. / INVESTIGATIONS	180,220.00	15,287.25	91.5	180,220.00	180,220.00	24,564.05	86.3		
FIRE DEPARTMENT	2,346,965.00	176,831.51	92.4	2,346,965.00	2,346,965.00	331,216.68	85.8		
STORM SEWERS	37,030.00	833.15	97.7	37,030.00	37,030.00	1,001.35	97.2		
LARGE ITEM PICKUP / LEAF COLL	58,250.00	18.47	99.9	58,250.00	58,250.00	55.83	99.9		
COMPOST/SOLID WASTE SITE	0.00	0.00	0.0	0.00	0.00	0.00	0.0		
STREET SWEEPING	46,760.00	843.11	98.1	46,760.00	46,760.00	843.11	98.1		
WEED ABATEMENT	3,070.00	0.00	100.0	3,070.00	3,070.00	0.00	100.0		
ROADWAYS/STREETS	357,380.00	53,652.09	84.9	357,380.00	357,380.00	67,237.03	81.1		
SNOW REMOVAL	243,040.00	32,018.79	86.8	243,040.00	243,040.00	59,499.04	75.5		
STREET SIGNS AND MARKINGS	36,750.00	5,807.62	84.1	36,750.00	36,750.00	7,200.63	80.4		
CURB/GUTTER/SIDEWALK	36,965.00	0.00	100.0	36,965.00	36,965.00	0.00	100.0		
STREET MACHINERY	250,150.00	32,471.85	87.0	250,150.00	250,150.00	35,132.71	85.9		
CITY GARAGE	98,730.00	5,342.28	94.5	98,730.00	98,730.00	6,558.06	93.3		
CELEBRATION & ENTERTAINMENT	41,180.00	9,680.29	76.4	41,180.00	41,180.00	9,939.46	75.8		
HIGHWAYS - GENERAL	534,840.00	35,797.04	93.3	534,840.00	534,840.00	83,556.31	84.3		
PARK & RECREATION ADMIN	134,230.00	5,832.49	95.6	134,230.00	134,230.00	16,942.27	87.3		
PARKS AND PLAYGROUNDS	601,450.00	27,595.75	95.4	601,450.00	601,450.00	50,855.89	91.5		
BALDIELDS	25,670.00	0.00	100.0	25,670.00	25,670.00	176.89	99.3		

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CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: GENERAL FUND  
FOR 2 PERIODS ENDING FEBRUARY 29, 2024

DEPARTMENT DESCRIPTION	FEBRUARY	FEBRUARY	%	FISCAL		ANNUAL	FISCAL		%
	BUDGET	ACTUAL		YEAR-TO-DATE	BUDGET		YEAR-TO-DATE	ACTUAL	
EXPENSES									
ICE RINKS	16,705.00	474.70	97.1	16,705.00	16,705.00	2,056.59	87.6		
BEACHES	0.00	0.00	0.0	0.00	0.00	0.00	0.0		
MUNICIPAL DOCKS	52,380.00	315.60	99.3	52,380.00	52,380.00	1,032.45	98.0		
WATER WEED MANAGEMENT	112,745.00	613.24	99.4	112,745.00	112,745.00	613.24	99.4		
WATERFRONT PARKS & WALKWAYS	95,130.00	1,218.33	98.7	95,130.00	95,130.00	2,718.21	97.1		
EMPLOYEE BENEFITS	47,520.00	931.32	98.0	47,520.00	47,520.00	6,358.50	86.6		
PUBLIC FACILITIES	59,450.00	11,132.68	81.2	59,450.00	59,450.00	11,132.68	81.2		
BOARDS AND COMMISSIONS	1,325.00	53.85	95.9	1,325.00	1,325.00	86.16	93.4		
COMMUNITY & ECONOMIC DEVLPMNT	503,985.00	30,092.68	94.0	503,985.00	503,985.00	69,342.26	86.2		
TOTAL EXPENSES	14,858,944.81	978,340.14	93.4	14,929,960.62	15,640,119.00	1,690,679.47	89.1		
TOTAL FUND REVENUES	15,800,119.00	2,980,337.00	(81.1)	15,800,119.00	15,800,119.00	6,466,497.48	(59.0)		
TOTAL FUND EXPENSES	14,858,944.81	978,340.14	93.4	14,929,960.62	15,640,119.00	1,690,679.47	89.1		
SURPLUS (DEFICIT)	941,174.19	2,001,996.86	112.7	870,158.38	160,000.00	4,775,818.01	2884.8		

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: CAPITAL FUND  
FOR 2 PERIODS ENDING FEBRUARY 29, 2024

DEPARTMENT DESCRIPTION	FEBRUARY BUDGET	FEBRUARY ACTUAL	VARI- ANCE	FISCAL YEAR-TO-DATE BUDGET	ANNUAL BUDGET	FISCAL YEAR-TO-DATE ACTUAL	VARI- ANCE
REVENUES	4,831,890.00	201,941.51	(95.8)	4,831,890.00	4,831,890.00	377,881.79	(92.1)
PATROL							
TOTAL REVENUES	4,831,890.00	201,941.51	(95.8)	4,831,890.00	4,831,890.00	377,881.79	(92.1)
EXPENSES							
CITY CLERK-TREASURER	0.00	0.00	0.0	0.00	0.00	0.00	0.0
ADMINISTRATION	0.00	0.00	0.0	0.00	0.00	0.00	0.0
COMPUTER	262,535.00	2,152.84	99.1	262,535.00	262,535.00	2,152.84	99.1
CITY ASSESSOR	10,000.00	0.00	100.0	10,000.00	10,000.00	0.00	100.0
ENGINEERING	0.00	0.00	0.0	0.00	0.00	0.00	0.0
ELECTIONS	0.00	0.00	0.0	0.00	0.00	0.00	0.0
CITY HALL	76,916.66	3,793.00	95.0	78,833.32	98,000.00	0.00	100.0
GENERAL EXPENDITURES	156,405.00	0.00	100.0	156,405.00	156,405.00	0.00	100.0
POLICE DEPARTMENT	30,000.00	24,193.50	19.3	30,000.00	30,000.00	24,193.50	19.3
PATROL BOAT	3,333.33	0.00	100.0	6,666.66	40,000.00	0.00	100.0
PATROL	232,080.00	0.00	100.0	232,080.00	232,080.00	(7,132.05)	103.0
POLICE DEPT. / INVESTIGATIONS	0.00	0.00	0.0	0.00	0.00	0.00	0.0
FIRE DEPARTMENT	106,460.00	19,027.42	82.1	106,460.00	106,460.00	22,289.42	79.0
STORM SEWERS	180,000.00	0.00	100.0	205,000.00	455,000.00	0.00	100.0
SOLID WASTE MGMT/REFUSE/RECYC	0.00	0.00	0.0	0.00	0.00	0.00	0.0
SOLID WASTE MGMT/SPRING/FALL	0.00	0.00	0.0	0.00	0.00	0.00	0.0
ROADWAYS/STREETS	2,118,000.00	36,745.00	98.2	2,118,000.00	2,118,000.00	35,640.00	98.3
SNOW REMOVAL	0.00	0.00	0.0	0.00	0.00	0.00	0.0
CURB/GUTTER/SIDEWALK	160,000.00	0.00	100.0	160,000.00	160,000.00	0.00	100.0
CITY GARAGE	8,000.00	0.00	100.0	8,000.00	8,000.00	0.00	100.0
PARKS AND PLAYGROUNDS	882,400.00	0.00	100.0	882,400.00	882,400.00	0.00	100.0
BALLFIELDS	5,000.00	0.00	100.0	5,000.00	5,000.00	0.00	100.0
ICE RINKS	2,500.00	0.00	100.0	2,500.00	2,500.00	0.00	100.0
BEACHES	0.00	0.00	0.0	0.00	0.00	0.00	0.0
MUNICIPAL DOCKS	80,000.00	25,320.00	68.3	80,000.00	80,000.00	25,320.00	68.3
WATER WEED MANAGEMENT	82,360.00	0.00	100.0	82,360.00	82,360.00	0.00	100.0
WATERFRONT PARKS & WALKWAYS	11,666.66	0.00	100.0	13,333.32	30,000.00	0.00	100.0
SANITARY & WATER MAIN	0.00	0.00	0.0	0.00	0.00	0.00	0.0
PUBLIC FACILITIES	0.00	0.00	0.0	0.00	0.00	0.00	0.0
COMMUNITY & ECONOMIC DEVLPMT	0.00	0.00	0.0	0.00	0.00	0.00	0.0
TOTAL EXPENSES	4,407,656.65	111,231.76	97.4	4,439,573.30	4,758,740.00	102,463.71	97.8
TOTAL FUND REVENUES	4,831,890.00	201,941.51	(95.8)	4,831,890.00	4,831,890.00	377,881.79	(92.1)
TOTAL FUND EXPENSES	4,407,656.65	111,231.76	97.4	4,439,573.30	4,758,740.00	102,463.71	97.8
SURPLUS (DEFICIT)	424,233.35	90,709.75	(78.6)	392,316.70	73,150.00	275,418.08	276.5

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: ARPA -AMERICAN RESCUE PLAN ACT  
FOR 2 PERIODS ENDING FEBRUARY 29, 2024

DEPARTMENT DESCRIPTION	FEBRUARY BUDGET	FEBRUARY ACTUAL	% VARI- ANCE	FISCAL YEAR-TO-DATE BUDGET	ANNUAL BUDGET	FISCAL YEAR-TO-DATE ACTUAL	% VARI- ANCE
REVENUES							
ARPA / GENERAL	33.33	43.86	31.5	66.66	400.00	93.75	(76.5)
TOTAL REVENUES	33.33	43.86	31.5	66.66	400.00	93.75	(76.5)
EXPENSES							
ARPA / GENERAL	11,081.66	0.00	100.0	22,163.32	132,980.00	0.00	100.0
TOTAL EXPENSES	11,081.66	0.00	100.0	22,163.32	132,980.00	0.00	100.0
TOTAL FUND REVENUES	33.33	43.86	31.5	66.66	400.00	93.75	(76.5)
TOTAL FUND EXPENSES	11,081.66	0.00	100.0	22,163.32	132,980.00	0.00	100.0
SURPLUS (DEFICIT)	(11,048.33)	43.86	(100.3)	(22,096.66)	(132,580.00)	93.75	(100.0)

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: CABLE TV  
FOR 2 PERIODS ENDING FEBRUARY 29, 2024

DEPARTMENT DESCRIPTION	FEBRUARY BUDGET	FEBRUARY ACTUAL	% VARI- ANCE	FISCAL YEAR-TO-DATE BUDGET	ANNUAL BUDGET	FISCAL YEAR-TO-DATE ACTUAL	% VARI- ANCE
REVENUES							
CABLE TV / GENERAL	134,605.41	31,104.73	(76.8)	137,210.82	163,265.00	31,104.73	(80.9)
TOTAL REVENUES	134,605.41	31,104.73	(76.8)	137,210.82	163,265.00	31,104.73	(80.9)
EXPENSES							
CABLE TV / GENERAL	211,825.00	5,496.60	97.4	211,825.00	211,825.00	10,954.97	94.8
TOTAL EXPENSES	211,825.00	5,496.60	97.4	211,825.00	211,825.00	10,954.97	94.8
TOTAL FUND REVENUES	134,605.41	31,104.73	(76.8)	137,210.82	163,265.00	31,104.73	(80.9)
TOTAL FUND EXPENSES	211,825.00	5,496.60	97.4	211,825.00	211,825.00	10,954.97	94.8
SURPLUS (DEFICIT)	(77,219.59)	25,608.13	(133.1)	(74,614.18)	(48,560.00)	20,149.76	(141.4)

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #6 DISTRICT  
FOR 2 PERIODS ENDING FEBRUARY 29, 2024

DEPARTMENT DESCRIPTION	FEBRUARY BUDGET	FEBRUARY ACTUAL	% VARI- ANCE	FISCAL YEAR-TO-DATE BUDGET	ANNUAL BUDGET	FISCAL YEAR-TO-DATE ACTUAL	% VARI- ANCE
REVENUES							
TID #6 DISTRICT	2,688,537.49	20,489.21	(99.2)	2,693,168.98	2,739,484.00	38,095.23	(98.6)
TOTAL REVENUES	2,688,537.49	20,489.21	(99.2)	2,693,168.98	2,739,484.00	38,095.23	(98.6)
EXPENSES							
TID #6 DISTRICT	1,700,209.65	61,656.00	96.3	1,815,419.30	2,967,516.00	61,500.00	97.9
TOTAL EXPENSES	1,700,209.65	61,656.00	96.3	1,815,419.30	2,967,516.00	61,500.00	97.9
TOTAL FUND REVENUES	2,688,537.49	20,489.21	(99.2)	2,693,168.98	2,739,484.00	38,095.23	(98.6)
TOTAL FUND EXPENSES	1,700,209.65	61,656.00	96.3	1,815,419.30	2,967,516.00	61,500.00	97.9
SURPLUS (DEFICIT)	988,327.84	(41,166.79)	(104.1)	877,749.68	(228,032.00)	(23,404.77)	(89.7)

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #7 DISTRICT  
FOR 2 PERIODS ENDING FEBRUARY 29, 2024

DEPARTMENT DESCRIPTION	FEBRUARY BUDGET	FEBRUARY ACTUAL	% VARI- ANCE	FISCAL YEAR-TO-DATE BUDGET	ANNUAL BUDGET	FISCAL YEAR-TO-DATE ACTUAL	% VARI- ANCE
REVENUES							
TID #7 DISTRICT	474,231.16	673.61	(99.8)	474,527.32	477,489.00	1,239.70	(99.7)
TOTAL REVENUES	474,231.16	673.61	(99.8)	474,527.32	477,489.00	1,239.70	(99.7)
EXPENSES							
TID #7 DISTRICT	531,983.33	1,997.46	99.6	532,816.66	541,150.00	1,997.46	99.6
TOTAL EXPENSES	531,983.33	1,997.46	99.6	532,816.66	541,150.00	1,997.46	99.6
TOTAL FUND REVENUES	474,231.16	673.61	(99.8)	474,527.32	477,489.00	1,239.70	(99.7)
TOTAL FUND EXPENSES	531,983.33	1,997.46	99.6	532,816.66	541,150.00	1,997.46	99.6
SURPLUS (DEFICIT)	(57,752.17)	(1,323.85)	(97.7)	(58,289.34)	(63,661.00)	(757.76)	(98.8)



CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #8 DISTRICT  
FOR 2 PERIODS ENDING FEBRUARY 29, 2024

DEPARTMENT DESCRIPTION	FEBRUARY BUDGET	FEBRUARY ACTUAL	% VARI- ANCE	FISCAL YEAR-TO-DATE BUDGET	ANNUAL BUDGET	FISCAL YEAR-TO-DATE ACTUAL	% VARI- ANCE
EXPENSES							
TID #8 DISTRICT	32,637.49	0.00	100.0	65,274.98	391,650.00	0.00	100.0
TOTAL EXPENSES	32,637.49	0.00	100.0	65,274.98	391,650.00	0.00	100.0

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #2 DISTRICT  
FOR 2 PERIODS ENDING FEBRUARY 29, 2024

DEPARTMENT DESCRIPTION	FEBRUARY BUDGET	FEBRUARY ACTUAL	% VARI- ANCE	FISCAL YEAR-TO-DATE BUDGET	ANNUAL BUDGET	FISCAL YEAR-TO-DATE ACTUAL	% VARI- ANCE
REVENUES							
TID DISTRICT #2	1,681,033.00	547,646.43	(67.4)	1,681,033.00	1,681,033.00	1,029,586.52	(38.7)
TOTAL REVENUES	1,681,033.00	547,646.43	(67.4)	1,681,033.00	1,681,033.00	1,029,586.52	(38.7)
EXPENSES							
TID DISTRICT #2	393,047.66	234.50	99.9	393,089.32	393,506.00	234.50	99.9
TOTAL EXPENSES	393,047.66	234.50	99.9	393,089.32	393,506.00	234.50	99.9
TOTAL FUND REVENUES	1,681,033.00	547,646.43	(67.4)	1,681,033.00	1,681,033.00	1,029,586.52	(38.7)
TOTAL FUND EXPENSES	393,047.66	234.50	99.9	393,089.32	393,506.00	234.50	99.9
SURPLUS (DEFICIT)	1,287,985.34	547,411.93	(57.4)	1,287,943.68	1,287,527.00	1,029,352.02	(20.0)

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: AFFORDABLE HOUSING TID  
FOR 2 PERIODS ENDING FEBRUARY 29, 2024

DEPARTMENT DESCRIPTION	FEBRUARY BUDGET	FEBRUARY ACTUAL	% VARI- ANCE	FISCAL YEAR-TO-DATE BUDGET	ANNUAL BUDGET	FISCAL YEAR-TO-DATE ACTUAL	% VARI- ANCE
REVENUES							
TID #1 DISTRICT	20,000.00	3,868.31	(80.6)	20,000.00	20,000.00	7,988.34	(60.0)
TOTAL REVENUES	20,000.00	3,868.31	(80.6)	20,000.00	20,000.00	7,988.34	(60.0)
EXPENSES							
TID #1 DISTRICT	917,834.00	0.00	100.0	917,834.00	917,834.00	0.00	100.0
TOTAL EXPENSES	917,834.00	0.00	100.0	917,834.00	917,834.00	0.00	100.0
TOTAL FUND REVENUES	20,000.00	3,868.31	(80.6)	20,000.00	20,000.00	7,988.34	(60.0)
TOTAL FUND EXPENSES	917,834.00	0.00	100.0	917,834.00	917,834.00	0.00	100.0
SURPLUS (DEFICIT)	(897,834.00)	3,868.31	(100.4)	(897,834.00)	(897,834.00)	7,988.34	(100.8)

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #3 DISTRICT  
FOR 2 PERIODS ENDING FEBRUARY 29, 2024

DEPARTMENT DESCRIPTION	FEBRUARY BUDGET	FEBRUARY ACTUAL	% VARI- ANCE	FISCAL YEAR-TO-DATE BUDGET	ANNUAL BUDGET	FISCAL YEAR-TO-DATE ACTUAL	% VARI- ANCE
REVENUES							
TID #3 DISTRICT	120,634.00	34,140.66	(71.6)	120,634.00	120,634.00	63,564.30	(47.3)
TOTAL REVENUES	120,634.00	34,140.66	(71.6)	120,634.00	120,634.00	63,564.30	(47.3)
EXPENSES							
TID #3 DISTRICT	119,239.00	0.00	100.0	119,239.00	119,239.00	0.00	100.0
TOTAL EXPENSES	119,239.00	0.00	100.0	119,239.00	119,239.00	0.00	100.0
TOTAL FUND REVENUES	120,634.00	34,140.66	(71.6)	120,634.00	120,634.00	63,564.30	(47.3)
TOTAL FUND EXPENSES	119,239.00	0.00	100.0	119,239.00	119,239.00	0.00	100.0
SURPLUS (DEFICIT)	1,395.00	34,140.66	2347.3	1,395.00	1,395.00	63,564.30	4456.5

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #4 DISTRICT  
FOR 2 PERIODS ENDING FEBRUARY 29, 2024

DEPARTMENT DESCRIPTION	FEBRUARY	FEBRUARY	%	FISCAL	ANNUAL	FISCAL	%
	BUDGET	ACTUAL	VARI- ANCE	YEAR-TO-DATE BUDGET	BUDGET	YEAR-TO-DATE ACTUAL	VARI- ANCE
REVENUES							
TID #4 DISTRICT	418,778.33	51,606.75	(87.6)	432,111.66	565,445.00	95,638.31	(83.0)
TOTAL REVENUES	418,778.33	51,606.75	(87.6)	432,111.66	565,445.00	95,638.31	(83.0)
EXPENSES							
TID #4 DISTRICT	0.00	0.00	0.0	0.00	0.00	0.00	0.0
TID #4 DISTRICT	1,165,425.32	104,091.89	91.0	1,171,558.64	1,232,892.00	104,091.89	91.5
TOTAL EXPENSES	1,165,425.32	104,091.89	91.0	1,171,558.64	1,232,892.00	104,091.89	91.5
TOTAL FUND REVENUES	418,778.33	51,606.75	(87.6)	432,111.66	565,445.00	95,638.31	(83.0)
TOTAL FUND EXPENSES	1,165,425.32	104,091.89	91.0	1,171,558.64	1,232,892.00	104,091.89	91.5
SURPLUS (DEFICIT)	(746,646.99)	(52,485.14)	(92.9)	(739,446.98)	(667,447.00)	(8,453.58)	(98.7)

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #5 DISTRICT  
FOR 2 PERIODS ENDING FEBRUARY 29, 2024

DEPARTMENT DESCRIPTION	FEBRUARY BUDGET	FEBRUARY ACTUAL	% VARI- ANCE	FISCAL YEAR-TO-DATE BUDGET	ANNUAL BUDGET	FISCAL YEAR-TO-DATE ACTUAL	% VARI- ANCE
REVENUES							
TID #5 DISTRICT	871,172.33	10,967.70	(98.7)	872,005.66	880,339.00	20,194.28	(97.7)
TOTAL REVENUES	871,172.33	10,967.70	(98.7)	872,005.66	880,339.00	20,194.28	(97.7)
EXPENSES							
TID #5 DISTRICT	373,255.00	0.00	100.0	373,255.00	373,255.00	0.00	100.0
TOTAL EXPENSES	373,255.00	0.00	100.0	373,255.00	373,255.00	0.00	100.0
TOTAL FUND REVENUES	871,172.33	10,967.70	(98.7)	872,005.66	880,339.00	20,194.28	(97.7)
TOTAL FUND EXPENSES	373,255.00	0.00	100.0	373,255.00	373,255.00	0.00	100.0
SURPLUS (DEFICIT)	497,917.33	10,967.70	(97.7)	498,750.66	507,084.00	20,194.28	(96.0)

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: REVOLVING LOAN FUND (STATE)  
FOR 2 PERIODS ENDING FEBRUARY 29, 2024

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

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #9 DISTRICT  
FOR 2 PERIODS ENDING FEBRUARY 29, 2024

DEPARTMENT DESCRIPTION	FEBRUARY BUDGET	FEBRUARY ACTUAL	% VARI- ANCE	FISCAL YEAR-TO-DATE BUDGET	ANNUAL BUDGET	FISCAL YEAR-TO-DATE ACTUAL	% VARI- ANCE
REVENUES							
TID #9 DISTRICT	266,833.32	0.00	100.0	533,666.64	3,202,000.00	0.00	100.0
TOTAL REVENUES	266,833.32	0.00	100.0	533,666.64	3,202,000.00	0.00	100.0
EXPENSES							
TID #9 DISTRICT	176,624.98	0.00	100.0	353,249.96	2,119,500.00	0.00	100.0
TOTAL EXPENSES	176,624.98	0.00	100.0	353,249.96	2,119,500.00	0.00	100.0
TOTAL FUND REVENUES	266,833.32	0.00	100.0	533,666.64	3,202,000.00	0.00	100.0
TOTAL FUND EXPENSES	176,624.98	0.00	100.0	353,249.96	2,119,500.00	0.00	100.0
SURPLUS (DEFICIT)	90,208.34	0.00	100.0	180,416.68	1,082,500.00	0.00	100.0



CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #10 DISTRICT  
FOR 2 PERIODS ENDING FEBRUARY 29, 2024

DEPARTMENT DESCRIPTION	FEBRUARY		FEBRUARY		%	FISCAL		ANNUAL	FISCAL		%
	BUDGET	ACTUAL	ACTUAL	VARI- ANCE		YEAR-TO-DATE BUDGET	BUDGET		YEAR-TO-DATE ACTUAL	VARI- ANCE	
REVENUES											
TID #10 DISTRICT	146,250.00	0.00	100.0	292,500.00	1,755,000.00	0.00	100.0				
TOTAL REVENUES	146,250.00	0.00	100.0	292,500.00	1,755,000.00	0.00	100.0				
EXPENSES											
TID #10 DISTRICT	148,333.35	1,504.68	98.9	296,666.70	1,780,000.00	10,831.33	99.3				
TOTAL EXPENSES	148,333.35	1,504.68	98.9	296,666.70	1,780,000.00	10,831.33	99.3				
TOTAL FUND REVENUES	146,250.00	0.00	100.0	292,500.00	1,755,000.00	0.00	100.0				
TOTAL FUND EXPENSES	148,333.35	1,504.68	98.9	296,666.70	1,780,000.00	10,831.33	99.3				
SURPLUS (DEFICIT)	(2,083.35)	(1,504.68)	(27.7)	(4,166.70)	(25,000.00)	(10,831.33)	(56.6)				

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: SOLID WASTE ENTERPRISE  
FOR 2 PERIODS ENDING FEBRUARY 29, 2024

DEPARTMENT DESCRIPTION	FEBRUARY BUDGET	FEBRUARY ACTUAL	% VARI- ANCE	FISCAL YEAR-TO-DATE BUDGET	ANNUAL BUDGET	FISCAL YEAR-TO-DATE ACTUAL	% VARI- ANCE
REVENUES							
SOLID WASTE ENTERPRISE FUND	668,963.33	54,054.44	(91.9)	669,791.66	678,075.00	100,046.07	(85.2)
TOTAL REVENUES	668,963.33	54,054.44	(91.9)	669,791.66	678,075.00	100,046.07	(85.2)
EXPENSES							
SOLID WASTE ENTERPRISE FUND	569,570.80	39,440.62	93.0	581,801.60	704,110.00	51,153.84	92.7
TOTAL EXPENSES	569,570.80	39,440.62	93.0	581,801.60	704,110.00	51,153.84	92.7
TOTAL FUND REVENUES	668,963.33	54,054.44	(91.9)	669,791.66	678,075.00	100,046.07	(85.2)
TOTAL FUND EXPENSES	569,570.80	39,440.62	93.0	581,801.60	704,110.00	51,153.84	92.7
SURPLUS (DEFICIT)	99,392.53	14,613.82	(85.2)	87,990.06	(26,035.00)	48,892.23	(287.7)

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: COMPOST SITE ENTERPRISE FUND  
FOR 2 PERIODS ENDING FEBRUARY 29, 2024

DEPARTMENT DESCRIPTION	FEBRUARY BUDGET	FEBRUARY ACTUAL	FISCAL % VARI- ANCE	FISCAL YEAR-TO-DATE BUDGET	ANNUAL BUDGET	FISCAL YEAR-TO-DATE ACTUAL	FISCAL % VARI- ANCE
REVENUES							
COMPOST SITE ENTERPRISE FUND	21,854.56	14,357.48	(34.3)	34,709.12	163,255.00	27,165.65	(83.3)
TOTAL REVENUES	21,854.56	14,357.48	(34.3)	34,709.12	163,255.00	27,165.65	(83.3)
EXPENSES							
COMPOST SITE ENTERPRISE FUND	11,455.75	2,573.15	77.5	22,911.50	137,470.00	5,614.68	95.9
TOTAL EXPENSES	11,455.75	2,573.15	77.5	22,911.50	137,470.00	5,614.68	95.9
TOTAL FUND REVENUES	21,854.56	14,357.48	(34.3)	34,709.12	163,255.00	27,165.65	(83.3)
TOTAL FUND EXPENSES	11,455.75	2,573.15	77.5	22,911.50	137,470.00	5,614.68	95.9
SURPLUS (DEFICIT)	10,398.81	11,784.33	13.3	11,797.62	25,785.00	21,550.97	(16.4)

CITY OF STURGEON BAY  
SUMMARIZED REVENUE & EXPENSE REPORT

MUNICIPAL REPORT TOTALS  
FOR 2 PERIODS ENDING FEBRUARY 29, 2024

DEPARTMENT DESCRIPTION	FEBRUARY BUDGET	FEBRUARY ACTUAL	% VARI- ANCE	FISCAL		FISCAL	
				YEAR-TO-DATE BUDGET	ANNUAL BUDGET	YEAR-TO-DATE ACTUAL	% VARI- ANCE
TOTAL MUNICIPAL REVENUES	28,144,935.26	3,951,231.69	(85.9)	28,593,434.52	33,078,428.00	8,259,096.15	(75.0)
TOTAL MUNICIPAL EXPENSES	25,629,124.45	1,306,566.80	94.9	26,246,638.90	32,421,786.00	2,039,521.85	93.7
SURPLUS (DEFICIT)	2,515,810.81	2,644,664.89	5.1	2,346,795.62	656,642.00	6,219,574.30	847.1



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)

March 5, 2024


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


Ms. Reinhardt:

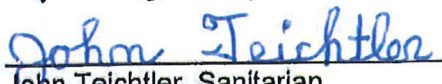
We, the undersigned, have received a request for certification of compliance for a Combination Class B Beer & Class B Liquor license

Cherry Lanes Arcade Bar, LLC  
Dba Cherry Lanes  
127 N 4<sup>th</sup> Ave  
Sturgeon Bay, WI 54235  
April 1, 2024 – June 30, 2024  
\*Surrender of license for sale of property\*

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

  
Kalin Montevideo, Interim Fire Chief  
City of Sturgeon Bay

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



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)

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March 5, 2024


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

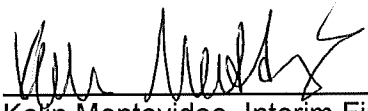
Ms. Reinhardt:

We, the undersigned, have received a request for certification of compliance for a Combination Class B Beer & Class B Liquor license

Cherry Lanes Arcade Bar, LLC  
Db a Cherry Lanes  
127 N 4<sup>th</sup> Ave  
Sturgeon Bay, WI 54235  
April 1, 2024 – June 30, 2024  
\*Surrender of license for sale of property\*

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

  
\_\_\_\_\_  
Kalin Montevideo, Interim Fire Chief  
City of Sturgeon Bay

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

C240228 #1

Form  
AT-106Original Alcohol Beverage  
License Application

FOR CLERKS ONLY	
Municipality	City of Sturgeon Bay
License Period	04/01/24 to 06/30/24

## License(s) Requested

- ☐ Class "A" Beer ..... \$ \_\_\_\_\_
 ☐ "Class A" Liquor ..... \$ \_\_\_\_\_
- ☒ Class "B" Beer ..... \$ 25.00
☒ "Class B" Liquor ..... \$ 125.00
- ☐ "Class C" Wine ..... \$ \_\_\_\_\_
 ☐ "Class A" Liquor (Cider Only) \$ \_\_\_\_\_
- ☐ Reserve "Class B" Liquor \$ \_\_\_\_\_
 ☐ "Class B" (Wine Only) Winery \$ \_\_\_\_\_

License Fees	\$ 150.00
Publication Fee	\$ 20.00
Background Check	\$
<b>Total Fees</b>	<b>\$ 170.00</b>

## Part A: Premises/Business Information

1. Legal Business Name (registered entity name or individual's name if sole proprietorship) <u>CHERRY LANES ARCADE BAR, LLC</u>		
2. Trade Name or DBA <u>CHERRY LANES</u>		
3. Premises Address <u>127 N 4TH AVE</u>		
4. County <u>DOOR</u>	5. Municipality <u>STURGEON BAY</u>	6. Aldermanic District
7. Mailing Address (if different from premises address) <u>3173 NICOLET DR.</u>		
8. FEIN <u>99-1189863</u>	9. Wisconsin Seller's Permit Number <u>456-1031612249-04</u>	
10. Premises Phone <u>262-391-1114</u>	11. Premises Email	
12. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization		
13. Premises Description - Describe the building or buildings where alcohol beverages are to be sold and stored. Describe all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. Alcohol beverages may be sold and stored ONLY on the premises described in this application. Attach additional sheets if necessary. <u>o First floor store front alcohol sold, stored</u> <u>- Arcade room</u> <u>- bowling alley</u> <u>o Second floor inventory room - stored</u> <u>o Basement below bar - stored</u>		

## Part B: Questions

1. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit a copy of Responsible Beverage Server Training Course Certificate..... ☒ Yes ☐ No
2. Does the applicant business or its partners, officers, directors, managing members, or agent hold a direct or indirect interest in any alcohol beverage wholesaler or producer (e.g., brewer, brewpub, winery, distillery)?..... ☐ Yes ☒ No  
If yes, please explain using the space below. Attach additional sheets if necessary.

**Part C: For Corporate/LLC Applicants Only**

1. State of Registration WI		2. Date of Registration 2/20/2024	
3. Is the applicant business owned by another corporation or LLC? If yes, please provide the name and FEIN of the parent company below, include parent company members in Part D, and attach Form AT-103 for all of the parent company's principal members, managers, officers, or directors ..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Name of Parent Company		FEIN of Parent Company	
4. Does the parent company or any of its officers, directors, managing members, or agent hold any direct or indirect interest in any other alcohol beverage wholesaler or producer (e.g., brewer, brewpub, winery, distillery)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please explain using the space below. Attach additional sheets if necessary.			
5. Agent's Last Name CALLAN		Agent's First Name MOIRA	
		Phone 262-391-7114	

**Part D: Individual Information**

A Supplemental Questionnaire, Form AT-103, must be completed and attached to this application for each person involved in the applicant business and any parent company as indicated in Part C. Persons in the applicant business include: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all managing members and agent of a limited liability company.

List the full name, title, and phone number for each person below. Attach additional sheets if necessary.


Last Name	First Name	Title	Phone
CALLAN	MOIRA	OWNER	262-391-7114
LEFEVRE	SCOTT	VICE PRESIDENT	920-737-3797

**Part E: Attestation**

Who must sign this application?

- sole proprietor      • one general partner of a partnership      • one corporate officer      • one managing member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Signature 		Date 2/24/2024	
Name (Last, First, M.I.) CALLAN, MOIRA L			
Title OWNER		Email MOIRAFAY@GMAIL.COM	
		Phone 262-391-7114	

**Part F: For Clerk Use Only**

Date application was filed with clerk	Date reported to governing body	Date provisional license issued (if applicable)
Date license granted	License number	Date license issued
Signature of Clerk/Deputy Clerk		



Form  
AT-103

Alcohol Beverage License Application  
Supplemental Questionnaire

Date  
2-28-24

This form must be submitted to the municipal clerk, and be accompanied by one or more of the following forms: AT-104, AT-106, AT-108, AT-115, or AT-200. One Form AT-103 must be completed by each person involved in the applicant business or parent company including:

- sole proprietor
- all officers, directors, and agent of a corporation or nonprofit organization
- all partners of a partnership
- managing members and agent of a limited liability company

Your alcohol beverage application or renewal is not complete until all required Supplemental Questionnaires are submitted.

Part A: Premises/Business Information

1. Registered Entity Name (or individual name if sole proprietor)	
CHERRY LANES ARCADE BAR LLC	
2. Trade Name or DBA	
CHERRY LANES	
3. Entity Type (check one)	
<input type="checkbox"/> Sole Proprietor	<input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization

Part B: Individual Information

1. Name (Last, First, M.I.)			
CALLAN, MOIRA L			
2. Relationship to Registered Entity (Title)		3. Email	4. Phone
OWNER		MOIRAFAY@GMAIL.COM	262-391-7114
5. Home Address			
3173 NICOLET DRIVE			
6. City	7. State	8. Zip Code	9. Date of Birth
GREEN BAY	WI	54311	12-27-1983
10. Drivers License/State ID Number		11. Drivers License/State ID State of Issuance	
C450-5528-3967-06		WI	

Part C: Address History

List in chronological order your last two residence addresses within the last 5 years.

Previous Address 1	
330 E. MISSION ROAD	
Previous City, State, Zip	Dates (MM/YYYY - MM/YYYY)
GREEN BAY, WI 54301	05/2007 - 12/2015
Previous Address 2	
3173 NICOLET DRIVE	
Previous City, State, Zip	Dates (MM/YYYY - MM/YYYY)
GREEN BAY, WI 54311	12/2015 - CURRENT

Part D: Employment History

List in chronological order your last two employers within the last 5 years.

Employer's Name	
SCHNEIDER NATIONAL, INC.	
Employer's Address	Dates Employed (MM/YYYY - MM/YYYY)
3101 PACKERLAND DRIVE, GREEN BAY, WI 54313	07/2006 - CURRENT
Employer's Name	
Employer's Address	Dates Employed (MM/YYYY - MM/YYYY)

**Part E: Criminal History**

1. Have you ever been convicted of any offenses (other than traffic offenses unrelated to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or of any county or municipal ordinances? . . . . . ☐ Yes ☒ No
- If yes to question 1, please list details of each conviction below. Attach additional sheets as needed.

Law/Ordinance Violated	Trial Date
Penalty Imposed	Was sentence completed? . . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Trial Date
Penalty Imposed	Was sentence completed? . . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No

2. Are charges for any offenses currently pending against you (other than traffic offenses unrelated to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or any county or municipal ordinances? . . . . . ☐ Yes ☒ No
- If yes to question 2, describe nature and status of pending charges using the space below. Attach additional sheets as needed.

**Part F: Questions**

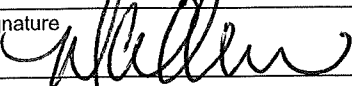
1. Have you lived in any state other than Wisconsin as an adult? If yes, please list them in the space below. If no, continue to question 2. . . . . ☒ Yes ☐ No

2. How long have you continuously lived in Wisconsin prior to the date of application?	Years <b>18</b>	Months <b>8</b>
--	--------------------	--------------------

3. Do you hold a direct or indirect interest in any alcohol beverage wholesaler or producer (e.g. brewer, brewpub, winery, distillery)? If yes, please explain using the space below. Attach additional sheets as needed. ☐ Yes ☒ No

**Part G: Attestation**

**READ CAREFULLY BEFORE SIGNING:** I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Signature 	Date <b>2/24/2024</b>
--	--------------------------

Form  
AT-103

Alcohol Beverage License Application  
Supplemental Questionnaire

Date  
2-28-24

This form must be submitted to the municipal clerk, and be accompanied by one or more of the following forms: AT-104, AT-106, AT-108, AT-115, or AT-200. One Form AT-103 must be completed by each person involved in the applicant business or parent company including:

- sole proprietor
- all officers, directors, and agent of a corporation or nonprofit organization
- all partners of a partnership
- managing members and agent of a limited liability company

Your alcohol beverage application or renewal is not complete until all required Supplemental Questionnaires are submitted.

Part A: Premises/Business Information

1. Registered Entity Name (or individual name if sole proprietor)

CHERRY LANES ARCADE BAR, LLC

2. Trade Name or DBA

CHERRY LANES

3. Entity Type (check one)

☐ Sole Proprietor ☐ Partnership ☒ Limited Liability Company ☐ Corporation ☐ Nonprofit Organization

Part B: Individual Information

1. Name (Last, First, M.I.)

LE FEVRE SCOTT A

2. Relationship to Registered Entity (Title)

VICE PRESIDENT

3. Email

SFEVEROS@GMAIL.COM

4. Phone

920-737-3797

5. Home Address

3025 WAUBENOOR DR

6. City

GREEN BAY

7. State

WI

8. Zip Code

54301

9. Date of Birth

7-20-1963

10. Drivers License/State ID Number

L116-7816-3260-03

11. Drivers License/State ID State of Issuance

WI

Part C: Address History

List in chronological order your last two residence addresses within the last 5 years.

Previous Address 1

441 S. 3RD AVENUE

Previous City, State, Zip

STURGEON BAY WI 54235

Dates (MM/YYYY - MM/YYYY)

07/2023 - 03/2024

Previous Address 2

3025 WAUBENOOR DR

Previous City, State, Zip

GREEN BAY, WI 54301

Dates (MM/YYYY - MM/YYYY)

04/2013 - 03/2024

Part D: Employment History

List in chronological order your last two employers within the last 5 years.

Employer's Name

BELLIN HOSPITAL

Employer's Address

744 S WEBSTER AVE GB WI 54301

Dates Employed (MM/YYYY - MM/YYYY)

04/2014 - 04/2021

Employer's Name

Employer's Address

Dates Employed (MM/YYYY - MM/YYYY)

**Part E: Criminal History**

1. Have you ever been convicted of any offenses (other than traffic offenses unrelated to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or of any county or municipal ordinances? . . . . . ☐ Yes ☒ No
- If yes to question 1, please list details of each conviction below. Attach additional sheets as needed.

Law/Ordinance Violated	Trial Date
------------------------	------------

Penalty Imposed	Was sentence completed? . . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No
-----------------	--

Law/Ordinance Violated	Trial Date
------------------------	------------

Penalty Imposed	Was sentence completed? . . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No
-----------------	--

2. Are charges for any offenses currently pending against you (other than traffic offenses unrelated to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or any county or municipal ordinances? . . . . . ☐ Yes ☒ No

If yes to question 2, describe nature and status of pending charges using the space below. Attach additional sheets as needed.

**Part F: Questions**

1. Have you lived in any state other than Wisconsin as an adult? If yes, please list them in the space below. If no, continue to question 2. . . . . ☐ Yes ☒ No

2. How long have you continuously lived in Wisconsin prior to the date of application?	Years 60	Months 7
--	-------------	-------------

3. Do you hold a direct or indirect interest in any alcohol beverage wholesaler or producer (e.g. brewer, brewpub, winery, distillery)? If yes, please explain using the space below. Attach additional sheets as needed. ☐ Yes ☒ No

**Part G: Attestation**

**READ CAREFULLY BEFORE SIGNING:** I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Signature 	Date 2/24/2024
--	-------------------

# Schedule for Appointment of Agent by Corporation / Nonprofit Organization or Limited Liability Company

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: ☐ Town ☐ Village ☒ City of STURGEON BAY County of DOOR

The undersigned duly authorized officer/member/manager of CHERRY LANES ARCADE BAR, LLC  
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as

CHERRY LANES  
(Trade Name)

located at 127 N 4TH AVENUE

appoints MOIRA CALLAN  
(Name of Appointed Agent)

3173 NICOLET DR. GREEN BAY, WI 54311  
(Home Address of Appointed Agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

☐ Yes ☒ No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? ☒ Yes ☐ No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 18 years

Place of residence last year 3173 NICOLET DRIVE, GREEN BAY, WI 54311

\* For: CHERRY LANES ARCADE BAR, LLC  
(Name of Corporation / Organization / Limited Liability Company)

\* By: [Signature]  
(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

## ACCEPTANCE BY AGENT

I, MOIRA CALLAN, hereby accept this appointment as agent for the  
(Print / Type Agent's Name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

[Signature] 2/24/2024  
(Signature of Agent) (Date)

Agent's age 40

3173 NICOLET DRIVE, GREEN BAY, WI 54311  
(Home Address of Agent)

Date of birth 12/27/1983

## APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on \_\_\_\_\_ by \_\_\_\_\_ Title \_\_\_\_\_  
(Date) (Signature of Proper Local Official) (Town Chair, Village President, Police Chief)



920-495-0771

February 15, 2024

127 N. 4<sup>th</sup> Ave  
Sturgeon Bay, WI 54209

**To**

City Of Sturgeon Bay  
Attn: Stephanie Reinhardt  
Re: Surrender of Liquor License

I am writing to notify you of the pending sale of our bar, Cherry Lanes Arcade bar located at 127 N 4<sup>th</sup> Ave. It is our intention to surrender our liquor licenses upon the successful closing of business and building. Our scheduled closing date is April 1, 2024. In the event that this transaction fails to close, I reserve the right to rescind this letter and resume operation of our bar.

Sincerely,

A handwritten signature in black ink, appearing to be "Kevin Bosman &amp; Erin Anschutz", written over a horizontal line. The signature is stylized and cursive.

Kevin Bosman & Erin Anschutz



M



## COMMERCIAL QUADRICYCLE LICENSE APPLICATION

### PART A - APPLICATION INFORMATION

No commercial quadricycle may be operated in the City of Sturgeon Bay unless first licensed by the City. You must apply for a separate license for each commercial quadricycle. Complete this application, provide proof of insurance with a minimum of \$1,000,000 combined single limit liability coverage with specifically lists the vehicle identified below to the City Clerk's Office. An insurance submittal and approval, along with this completed form, pay the licensing fee of \$50.00, provide copy of current registration through WI DOT, along with certification from ASE mechanic regarding vehicle inspection.

The approval of the Commercial Quadricycle License is conditioned upon approval of proposed route(s).

### PART B - TO BE COMPLETED BY APPLICANT

1. Vehicle Owner's Name Will Liehergen
2. Vehicle Owner's Date of birth 11/4/1984
3. Business Name Foxy Pedaler
4. Business Address PO Box 1101 Green Bay, WI 54305
5. Business Phone Number(s) 920-435-3699
6. Commercial Quadricycle Year, Make, Model 2018 Atek Custom 7261+
7. Commercial Quadricycle Serial Number #AC0035
8. Commercial Quadricycle #: 3
9. Insurance Carrier Cincinnati Specialty Underwriters Ins. Co.
10. Policy Number CSU01S3666

**READ CAREFULLY BEFORE SIGNING:** Under penalty provided by law, the signer states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any inaccurate or untruthful answer may be grounds for prosecution and license revocation. Signer acknowledges the provisions of the Sturgeon Bay Municipal Code relating to public vehicles and agrees to observe these provisions and all applicable provisions the Sturgeon Bay Municipal Code and Wisconsin State Statutes.

Signature [Signature]

Date 2/19/24

### PART C - CITY USE ONLY

Certificate of Insurance \_\_\_\_\_

Approved by: Asst Police Chief - 3/5/24

Date Filed 3/1/2024

Copy of Vehicle Registration City Clerk - 3/5/24

ASE Certified Filed ✓

License Fee Paid 50



**CITY OF STURGEON BAY**  
**COMMERCIAL QUADRICYCLE PLAN OF OPERATION**  
**OFFICE OF CITY CLERK, 421 MICHIGAN ST, STURGEON BAY**  
**920-746-2900**

**COMPANY NAME:** Foxy Pedaler

**Hours of Operation**

Day of the week	Earliest Start Time (Include AM/PM)	Latest End Time * (Include AM/PM)
Sunday	10am	10pm
Monday	10am	10pm
Tuesday	10am	10pm
Wednesday	10am	10pm
Thursday	10am	10pm
Friday	10am	10pm
Saturday	10am	10pm

\* The "Latest End Time" can be no later than 10:00 p.m.

**ROUTES**

Attach maps which identify the streets where the commercial quadricycle will operate.

\* Your license will not be approved until the proposed route(s) are approved.

**THERE MAY NOT BE ANY OPERATION OF A COMMERCIAL QUADRICYCLE IF THE HOURS OF OPERATION AND THE ROUTES CONFLICT WITH A SPECIAL EVENT OR ANY EVENT WHERE THE STREET ARE CLOSED OFF TO MOTOR VEHICLES.**

**ALCOHOL BEVERAGE REGULATIONS (COMMERICAL QUADRICYCLES ONLY)**

Before operating, what type of inventory of the types & amounts of fermented malt beverages will be taken?

12 oz cans of beers, seltzers, hard ciders, and lemonades

What are your plans to ensure no other alcohol beverage, including intoxicating liquor, is carried upon or consumed on the commercial quadricycle?

Driver checks all alcoholic beverage before riders get on the vehicle.

What are your plans to ensure amounts in excess of that are allowed by law (36 ounces per person) will not be brought on the commercial quadricycle?

Before getting on the ~~the~~ vehicle, each rider must hold three 12 oz cans and inspected by licensed driver

What are your plans to ensure glass beverage containers will not be carried upon the commercial quadricycle?

Driver inspects all drinks will not allow any glass.



What are your plans to ensure no underage persons are on the commercial quadricycle when fermented malt beverages are present? Each rider must sign a waiver and be over 21 years old. Drive will check everyones ID.

How will disorderly and/or intoxicated patrons be addressed? Driver has authority to cut off patrons and not allow them to drink on the vehicle.

How will patrons be notified of the restrictions on alcohol beverages?  
☒ Conspicuous posting ☒ Other: Amount is shown on website and on the signed waiver.

What types of beverage carrying containers will be allowed on the commercial quadricycle?  
☒ Cans ☐ Plastic bottles

Where will the patrons store their fermented malt beverages?  
cooler provided by the Foxy Pedaler.

### LITTER AND NOISE

How will excess noise be prevented?  
Driver explains before tour that we're out in public and must be respectful of others.

How will excess noise be addressed?  
Driver has authority to tell group to be quiet and stop the tour if group doesn't comply.

Will there be an amplified sound system? ☒ Yes ☐ No If yes, describe: 4 speaker bluetooth radio and the volume is controlled by the driver

What are your plans to prevent litter?  
Provide trash and recycling can on the vehicle

What are your plans to address littering by a patron?  
Driver will ask them to pick it up and put it in the provided receptacle.

### LICENSED COMMERCIAL QUADRICYCLE OPERATORS

What are your plans to ensure all drivers hold a valid Quadricycle Operator's license with the City of Sturgeon Bay at all times while operating?  
License will be posted on vehicle at all times

Names of all currently employed as drivers (attach additional sheets as needed):  
Will Liebergen, Scott Clark, Dirk Bosman

### NOTARIZED SIGNATURE

Failure of a licensee to comply with the approved Plan of Operation shall constitute grounds for non-renewal suspension or revocation:

SUBSCRIBED AND SWORN BEFORE ME THIS  
1 DAY OF March, 2024.

NOTARY PUBLIC, STATE OF WISCONSIN

My commission expires: 3-9-2026

Print Name of Ind/Partner/Officer/Member/Agent

Signature of Ind/Partner/Officer/Member/Agent

Notary Seal must be affixed

Mica Mtt



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
07/07/2023

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

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

PRODUCER FL DEAN JE 6900 DANIELS PKWY STE 29-303 FORT MYERS, FL 33912-7513 8007452409	CONTACT NAME:	
	PHONE (A/C, No, Ext): 8007452409	FAX (A/C, No):
INSURED SPORTS AND RECREATION PROVIDERS ASSOCIATION (PURCHASING GROUP) AND ITS PARTICIPATING MEMBERS:  Foxy Pedaler LLC 7333 Casey Lane Sobieski, WI 54171	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
	NAIC #	
	INSURER A:	Underwriters at Lloyd's, London
	INSURER B:	Great American Insurance Company
	INSURER C:	
	INSURER D:	
	INSURER E:	
INSURER F:		

## COVERAGES

CERTIFICATE NUMBER:ZISMB2507

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY	X		ZISMB2507	07/06/2023 12:01 AM	07/06/2024 12:01 AM	GENERAL AGGREGATE	\$2,000,000.00
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						PRODUCTS - COMP/OP AGG	\$2,000,000.00
	<input checked="" type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR						PERSONAL & ADV INJURY	\$1,000,000.00
							EACH OCCURRENCE	\$1,000,000.00
							DAMAGE TO RENTED PREMESIS	\$300,000.00
							MED EXP (Any one person)	EXCLUDED
							GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	\$
	<input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS						BODILY INJURY (Per accident)	\$
	<input type="checkbox"/> HIRED AUTO <input type="checkbox"/> NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	\$
	UMBRELLA LIAB						EACH OCCURRENCE	\$
	EXCESS LIAB						AGGREGATE	\$
	DED <input type="checkbox"/> RETENTION \$							
B	ACCIDENT MEDICAL COVERAGE			BSR-F036843-00	07/06/2023 12:01 AM	07/06/2024 12:01 AM	EACH OCCURRENCE	\$25,000.00
							DEDUCTIBLE	\$100.00

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

Certificate Holder is added as an additional insured but only with respect to liability arising out of the named insured during the policy period.

2017 Atek Custom 72 Volt # AC0031; 2018 Atek Custom 72 Volt # AC0035; 2018 Atek Custom 72 Volt # AC0036

## CERTIFICATE HOLDER

## CANCELLATION

City of Sturgeon Bay 421 Michigan St Sturgeon Bay, WI 54235	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Francis L. Dean



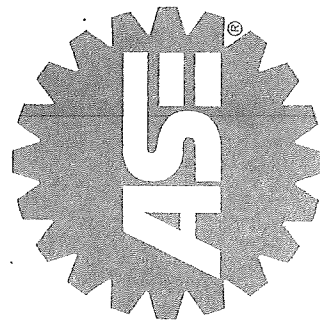
J.B. Truck Service LLC  
P.O. Box 731  
1231 Green Bay Rd  
Sturgeon Bay, WI. 54235  
(920)743-0964

Invoice

Date	Invoice #
3/1/2024	5767
Terms	
Due on receipt	

Bill To
Foxy Pedaler Scott Clark 231 N Broadway Green Bay, WI 54302

Project			
Pedal Bar			
Item	Description	Qty	Amount
Labor	Perform Inspection. Sales Tax	1	125.00T 6.88
RO-4200		Total \$131.88 Payments/Credits \$0.00	
		Balance Due \$131.88	



National Institute for  
**AUTOMOTIVE  
SERVICE  
EXCELLENCE**

*Be it known that*

**JARED R. BUTTS**



has successfully passed the examinations and met the work experience requirement prescribed by the National Institute for Automotive Service Excellence and is hereby **ASE CERTIFIED** in the service areas listed below.

## MASTER AUTOMOBILE TECHNICIAN

### AREAS OF DEMONSTRATED ACHIEVEMENT

ENGINE REPAIR

AUTOMATIC TRANSMISSION/TRANSAXLE

MANUAL DRIVE TRAIN AND AXLES

SUSPENSION AND STEERING

BRAKES

ELECTRICAL/ELECTRONIC SYSTEMS

HEATING AND AIR CONDITIONING

ENGINE PERFORMANCE

LIGHT VEHICLE DIESEL ENGINES

### EXPIRES

DECEMBER 31, 2025

DECEMBER 31, 2025

JUNE 30, 2027

JUNE 30, 2027

JUNE 30, 2027

DECEMBER 31, 2025

JUNE 30, 2024

JUNE 30, 2024

JUNE 30, 2026

\*\* \*\* \*\* \*\* \*\*

GIVEN THIS 6TH DAY OF MAY 2022, AT LEESBURG, VIRGINIA

ASE-1660-8994

ASE IDENTIFICATION NUMBER

*Timothy A. Zilke*

TIMOTHY A. ZILKE, President



## ANNUAL VEHICLE INSPECTION REPORT

## VEHICLE HISTORY RECORD

REPORT  
NUMBER

FLEET UNIT NUMBER

DATE

3.1.2024

MOTOR CARRIER OPERATOR

Foxy Pedaler

ADDRESS

231 N Broadway

CITY, STATE, ZIP CODE

Green Bay WI 54302

VEHICLE TYPE ☐ TRACTOR ☐ TRAILER ☐ TRUCK ☐ BUS  
☐ (OTHER)

INSPECTOR'S NAME (PRINT OR TYPE)

Jared Butts

THIS INSPECTOR MEETS THE QUALIFICATION REQUIREMENTS IN SECTION 396.19.

YES

VEHICLE IDENTIFICATION (✓ AND COMPLETE) ☐ LIC. PLATE NO. ☐ VIN ☒ OTHER

City of Green Bay WI Tax# 901-013

INSPECTION AGENCY/LOCATION (OPTIONAL)

## VEHICLE COMPONENTS INSPECTED

OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM
1. BRAKE SYSTEM				6. SAFE LOADING				12. WINDSHIELD GLAZING			
X			a. Service Brakes	X			a. Vehicle parts, load, dunnage, spare tire, etc., secured.	NA			No cracks, discoloration, obstacles, etc. (see 393.60 for exceptions).
X			b. Parking Brake System				b. Front End Structure				13. WINDSHIELD WIPERS
X			c. Brake Drums or Rotors				c. Intermodal Container Securement Devices	NA			No missing, damaged, or inoperable wipers.
X			d. Brake Hose				7. STEERING MECHANISM				14. MOTORCOACH SEATS
X			e. Brake Tubing				a. Steering Wheel Free Play	X			Seats securely fastened to the vehicle structure.
	NA		f. Low Pressure Warning Device				b. Steering Column				15. REAR IMPACT GUARD
	NA		g. Tractor Protection Valve	X			c. Front Axle Beam/All Other Steering Components				In place, securely attached, proper size, proper placement (see 393.86).
	NA		h. Air Compressor	X			d. Steering Gear Box	NA			16. OTHER
	NA		i. Electric Brakes	X			e. Pitman Arm				List any other condition(s) which may prevent safe operation of this vehicle.
X			j. Hydraulic Brakes	X			f. Power Steering				
	NA		k. Vacuum Systems	X			g. Ball and Socket Joints				
	NA		l. Antilock Brake System		NA		h. Tie Rods and Drag Links				
	NA		m. Automatic Brake Adjusters		NA		i. Nuts				
							j. Steering System				
2. COUPLING DEVICES				8. SUSPENSION							
NA			a. Fifth Wheels	X			a. Axle Positioning Parts				
			b. Pintle Hooks	X			b. Spring Assembly				
			c. Drawbar/Towbar Eye	X			c. Torque, Radius or Tracking Components				
			d. Drawbar/Towbar Tongue				9. FRAME				
			e. Safety Devices				a. Frame Members				
			f. Saddle-Mounts				b. Tire and Wheel Clearance				
3. EXHAUST SYSTEM				10. TIRES							
NA			a. No leaks forward of/ directly below the driver/ sleeper compartment.				a. Steer-Axle Tires				
			b. Bus: No leaking/ discharging in violation of standard.	X			b. All Other Tires				
			c. Unlikely to burn, char, or damage the electrical wiring, fuel supply, or any combustible part of vehicle.				c. Speed-Restricted Tires				
4. FUEL SYSTEM				11. WHEELS AND RIMS							
NA			a. No visible leak.	X			a. Lock or Side Ring				
			b. Fuel Tank Filler Cap				b. Wheels and Rims				
			c. Fuel tank securely attached.				c. Fasteners				
5. LIGHTING DEVICES								d. Welds			
			All required lights/reflectors operable.	X							

INSTRUCTIONS: MARK COLUMN ENTRIES TO VERIFY INSPECTION: ✓ OK, X NEEDS REPAIR, NA IF ITEMS DO NOT APPLY, REPAIRED DATE

CERTIFICATION: THIS VEHICLE HAS PASSED ALL THE INSPECTION ITEMS FOR THE ANNUAL VEHICLE INSPECTION IN ACCORDANCE WITH 49 CFR PART 396.

---

### 37.03 Commercial quadricycle business application process.

- (1) *Application.* A person wishing to operate a commercial quadricycle business shall apply to the city clerk for a business license using an approved form and pay the clerk a fee in the amount designated in the City of Sturgeon Bay fee schedule for each commercial quadricycle managed by the person. The clerk shall forward the application to the police department for review. The police department shall deny the application if any of the following applies:
  - (a) The circumstances of a pending criminal charge against the applicant substantially relate to the licensed activity;
  - (b) The applicant has been convicted of any felony, misdemeanor or other offense, the circumstances of which substantially relate to the particular job or licensed activity.
  - (c) The applicant made a false statement on the application.
  - (d) The applicant is under 18 years old.
- (2) *Commercial quadricycle plan of operation.* All applicants must complete and file with the clerk a commercial quadricycle plan of operation detailing the hours of operation, routes, quadricycle operators, and the rules the licensee will enforce on its customers regarding alcohol beverage possession and consumption and litter and noise regulation. This plan of operation shall be forwarded to the police and fire departments for consideration as a condition of approval of the license. In its review, the police and fire department may recommend approval, approval subject to certain modifications or denial of the license.
- (3) *Appeal.* If the police or fire department denies an application for a commercial quadricycle business license, or demands modifications that the applicant objects to, the applicant may appeal within 15 days after the police and fire department mails a notice of its decision to the applicant. If the applicant files a timely appeal with the clerk, the clerk shall schedule an appeal hearing before the community protection and services committee.
- (4) *Hearing before committee.* The committee may approve any application placed on its agenda only if the applicant is qualified under this section and may place conditions upon approval. The common council shall affirm, reverse or modify the committee's decision.
- (5) *Issuance.* The clerk shall issue the commercial quadricycle business license if the applicant has been approved by the common council and has satisfied all other provisions of this section.
- (6) *Vehicle inspection.* Before a commercial quadricycle business may operate a commercial quadricycle on a highway, the applicant shall obtain a certificate of inspection of the commercial quadricycle by a mechanic certified by the National Institute for Automotive Service Excellence (ASE). The ASE mechanic will provide certification, satisfactory to the police department that the commercial quadricycle is in sound mechanical working condition. This paragraph does not apply to a commercial quadricycle owned or operated by:
  - (a) A nonprofit corporation that provides to the police department proof that the vehicle passed a state vehicle inspection.
  - (b) An organization which is exempt from federal income tax under IRC § 501(c)(3) that provides to the police department proof that the vehicle passed a state vehicle inspection.
- (7) *Insurance.* Maintain liability insurance coverage for the commercial quadricycle containing the limits of not less than \$1,000,000.00 per occurrence combined single limit bodily injury and property damage, issued by a company authorized to do business in the state. A certificate of insurance for liability coverage for the calendar year specific to each commercial quadricycle shall be filed with the city clerk.

- 
- (8) *Police department vehicle review.* The police department shall affix a license sticker to the rear of each inspected commercial quadricycle if the department determines that the commercial quadricycle is:
- (a) Licensed with the city clerk.
  - (b) Certified in safe working condition as required by subsection (g)(6) of this section.
  - (c) Insured as required by subsection (g)(7) of this section.
  - (d) Conspicuously displaying on the exterior driver and passenger side of the vehicle:
    - 1. The name or trade name of the public vehicle business.
    - 2. The phone number of the public vehicle business.
    - 3. A unique number assigned by the commercial quadricycle business that identifies the particular vehicle.
  - (e) Conspicuously displaying within the front passenger compartment:
    - 1. A display holder within which commercial quadricycle operators can show their licenses while operating the commercial quadricycle.

(Ord. No. 1361-0819, § 1, 8-6-19)



**CITY OF STURGEON BAY  
STREET CLOSURE APPLICATION**

Name of Applicant:

Destination Sturgeon Bay

Name of Event:

Sturgeon Bay Farmers Market

Contact Phone #:

920-743-6246

Date(s) of Event:

Saturdays - June 1<sup>st</sup> Oct. 12<sup>th</sup>

Time:

8AM-12noon

Estimated # of Attendees:

1000 per week

Specific Location:

See map attachedDowntown Sturgeon Bay☒

Attach map of requested street closure area including barricades location, tent/booth location, or any street obstruction. The map must be in final form.

☒

Attach Certificate of Insurance with the City listed as ADDITIONAL INSURED. Limits as follows: Commercial General Liability - \$1,000,000 each occurrence limit; Fire Damage Limit - \$50,000 any one fire; Medical Expense Limit - \$5,000 any one person; and Workers Compensation - As required by the State of Wisconsin.

☒

Temporary Beer and/or Wine license has been applied for, approximately four weeks prior to the event date, by a qualified organization and fee paid. (If applicable.)

☒

Hold Harmless Agreement has been signed of Officer(s) of Event/Organization.

☒

Agreement for Reimbursement of Expenses has been signed by Officer(s) of Event/Organization.

☒

If tents larger than 20 x 20 are used, must agree to contact the Fire Department for inspection, prior to event.

What arrangements are made for clean up?

Contract with City

Other comments or explanation:

Signature of Responsible Party:

Ananea Beer

Address:

36 S. 3<sup>RD</sup> AVE - Sturgeon Bay, WI 54235

Date Submitted:

2-14-2024**(Street Closure applications may not be submitted/approved more than 90 days in advance of event date.)**

Approval:

Fire Chief:

[Signature]

Date:

2/22/24 revised map

Police Chief:

[Signature]

Date:

2/22/24

Comm. Dev:

[Signature]

Date:

2/29/24

Streets/Parks:

[Signature]

Date:

2/22/24

City Clerk:

[Signature]

Date:

2/27/24

Finance Dir:

[Signature]

Date:

2/27/24

City Engineer:

[Signature]

Date:

2-22-24

City Admin:

[Signature]

Date:

2/22/24

Common Council Approval Date:

☐

Copy of Approved Street Closure Application sent to EMS Director.

## HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

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

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

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

Dated this 14 day of February, \_\_\_\_\_.

By: [Signature]  
Executive Director.

By: Ananea Bell  
Events Director.



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

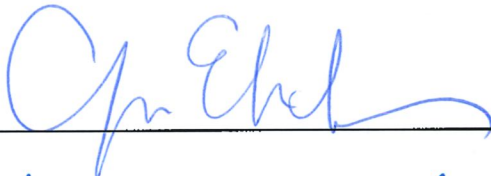
**WHEREAS** the City of Sturgeon Bay has created Section 3.035 of the Municipal Code authorizing the City Clerk - Treasurer to charge for reimbursement of legal, consulting, incidental, and special events expenses incurred on behalf of and/or for the benefit of third parties for services rendered by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

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

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

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

Dated: 02/12/2024



Dated: 2/9/2024

Andrea Bork

Company Name (if applicable): Destination Sturgeon Bay

Billing Address: 34 S. 3rd Ave  
Sturgeon Bay, WI 54235

Telephone: 920-743-6246

## STURGEON BAY FARMERS MARKET



**SATURDAYS, JUNE 1 – OCTOBER 12, 2024**  
**DOWNTOWN STURGEON BAY**  
**8 AM – 12 PM**

The Sturgeon Bay Farmers Market is located in Downtown Sturgeon Bay. Saturdays, June 1 – October 12 from 8:00 AM to Noon.

Sponsored by Destination Sturgeon Bay

For more information, visit [SturgeonBayFarmersMarket.net](https://SturgeonBayFarmersMarket.net).

**\*\*VENDOR APPLICATIONS FOR THE 2024 SEASON ARE OPEN\*\***

[Download Vendor Application Here](#)

### ELIGIBILITY

Open to all artists, crafters, and producers with original, quality products. Destination Sturgeon Bay reserves the right to reject any vendor deemed inappropriate for the market or an application without all requested information.

### COMPLIANCE

Any products not consistent with the work shown in his/her submitted and approved application must be removed from the booth. Any vendor who refuses to remove unapproved items or comply with DSB standards may be asked to leave. No refunds will be given to vendors who are requested to leave. BOOTH

### REQUIREMENTS

All vendors will be given a 10'x10' space for their tent and products. If vendors choose to utilize a pop-up tent, weights of at least 15lbs must be secured to each leg of the tent. DSB assigns all booth spaces and has the authority to change these spaces up until the day before the event. Vendors may not sublet their space to another vendor and spaces are not transferrable.





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

02/09/2024

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

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

<b>PRODUCER</b> Schmitz Insurance, LLC 7153 State Highway 42 57  Sturgeon Bay WI 54235-9490	<b>CONTACT NAME:</b> PHILIP J SCHMITZ <b>PHONE (A/C, No, Ext):</b> 920-473-4400 <b>E-MAIL ADDRESS:</b> Phil@SchmitzInsurance.com <b>FAX (A/C, No):</b> 8153019066
<b>INSURER(S) AFFORDING COVERAGE</b>	
<b>INSURER A:</b> West Bend - NSI	<b>NAIC #</b> 15350
<b>INSURER B:</b> Travelers Indemnity Company of Connecticut	25682
<b>INSURER C:</b>	
<b>INSURER D:</b>	
<b>INSURER E:</b>	
<b>INSURER F:</b>	

**COVERAGES****CERTIFICATE NUMBER:** 20240209181031365**REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	N	N	A615463	07/18/2023	07/18/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY	N	N	A615463	07/18/2023	07/18/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$	N	N	A629733	07/18/2023	07/18/2024	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ \$
B	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input checked="" type="checkbox"/> N	N/A N	UB5K77609A	05/11/2023	05/11/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

Saturdays- June 1st- October 12th  
Downtown Sturgeon Bay  
6AM-12Noon

**CERTIFICATE HOLDER****CANCELLATION**

City of Sturgeon Bay  
421 Michigan St  
Sturgeon Bay WI 54235

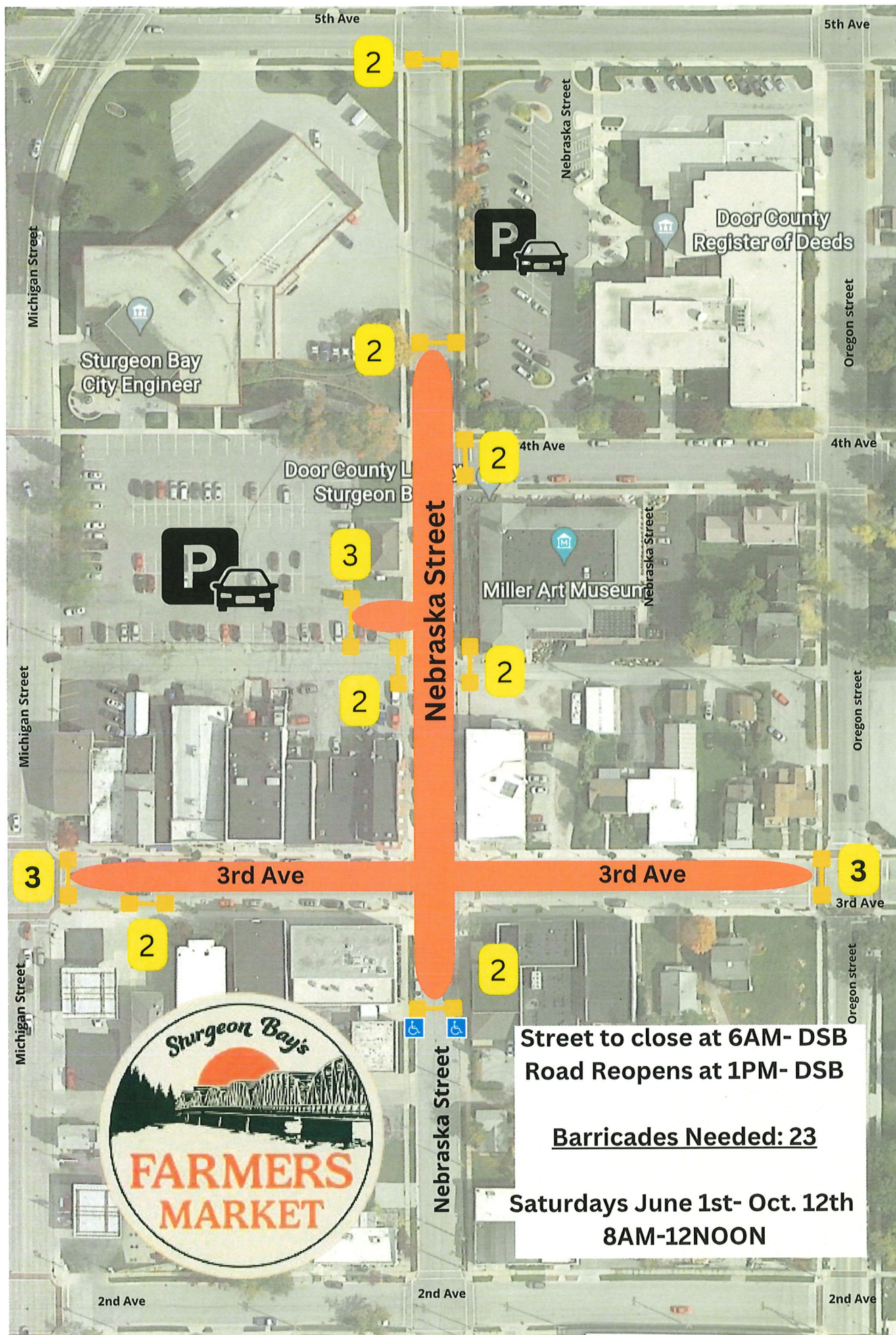
Fax: 920-746-2906

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

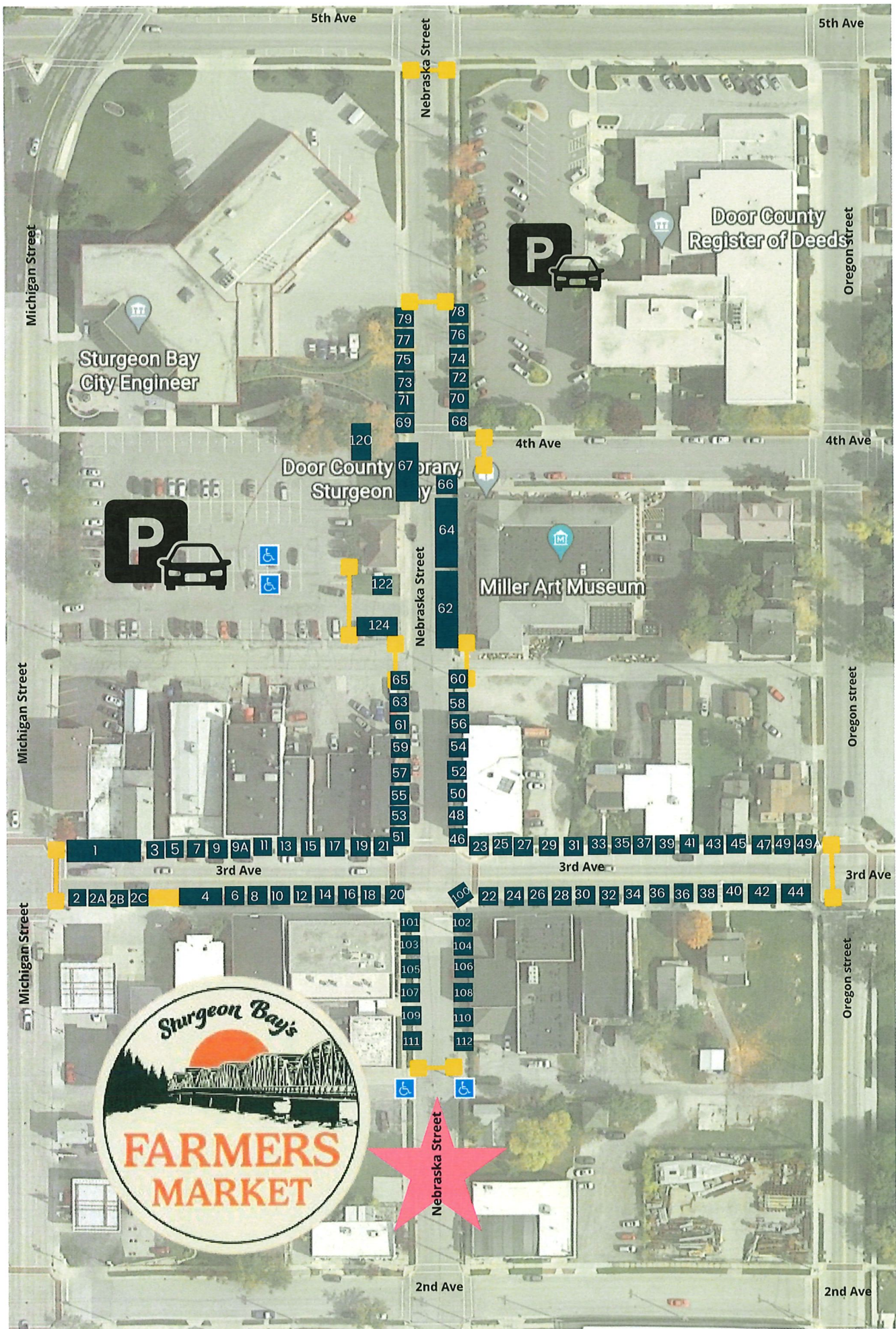
AUTHORIZED REPRESENTATIVE

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RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Community Protection and Services Committee, hereby recommend the Common Council approve the changes to Section 8.06 – Obstruction and Encroachments, of the City of Sturgeon Bay Municipal Code as presented and to have the Finance Committee review the fees for the Sidewalk Café Application for possible modification.

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

RESOLVED, that the foregoing recommendation be adopted.

Dated: March 6, 2024

\* \* \* \* \*

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

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

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

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.



## Executive Summary

### **Title:** Sidewalk Cafés Ordinance and Policy

**Background:** The City has been reviewing the ordinance and policy concerning Sidewalk Cafés. Section 8.06(2) of the municipal code includes an exception that allows a business to place tables, chairs, etc. on the public sidewalk in front of their business. Staff has proposed some minor edits to the ordinance for clarification as well as updates to the sidewalk café policy. The policy/ procedure updates consist of clarifications on application requirements, changes to the review process, and revisions to the standards, including revisions due to the recently adopted Entertainment District. The sidewalk café rules in general will become stricter to ensure that the plans that are presented with the permit are truly accurate and possible.

Currently, a license that does not serve alcohol is \$55 and a license that does serve alcohol is \$220. Staff believe that the cost of the permits should be combined to only have one cost and potentially increased to allow staff to review the sidewalk café plans in more detail. If the CP&S committee believes that this should occur, the issue can be forwarded to the Finance Committee where they can decide upon an appropriate fee.

**Options:** The Community Protection & Services Committee has the following options:


1. Recommend approval of the draft ordinance/policy and forward to the Common Council.
2. Amend the draft ordinance/policy and forward to the Common Council.
3. Decide to not make changes to the ordinance and policy.
4. Hold a public hearing regarding the proposed changes. A public hearing is not required for changes to Chapter 9, but the Council (or CP&S Committee could decide to hold one).

**Fiscal Impact:** The fiscal impact of this ordinance change would be associated with the potential fee change. The fee increase would be reflected upon the additional staff time that will be put into these applications.

**Recommendation:** City Staff recommends that the draft ordinance and policy/procedure be adopted.

Prepared by:   
Stephanie Servia  
City Planner/Zoning Administrator

3-1-2024  
Date

Reviewed by:   
Marty Olejniczak  
Community Development Director

3-1-2024  
Date

Reviewed by:

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

\_\_\_\_\_  
Date

Reviewed by:

\_\_\_\_\_  
Chad Shefchik  
City Engineer

\_\_\_\_\_  
Date

Reviewed by:

  
\_\_\_\_\_  
Mike Barker  
Municipal Services Director

3-1-24  
\_\_\_\_\_  
Date

---

## 8.06 Obstructions and encroachments.

### (1) *Prohibited.*

- (a) No person shall encroach upon or in any way obstruct or encumber any street, alley, sidewalk, public grounds or land dedicated to public use or any part thereof, or permit such encroachment or encumbrance to be placed or remain on any public way adjoining the premises of which he/she is the owner or occupant, except as provided in subsection (2).
- (b) The placing of merchandise or moveable signs upon the public sidewalks or streets without specific authorization from the city council is an encroachment contemplated by this section.
- (c) If the owner or occupant of adjoining property suffers or permits a nonexempt encroachment or encumbrance upon any street, alley, sidewalk, public grounds or land dedicated to public use or any part thereof, the police department shall order the immediate removal of such encroachment or encumbrance. Such order shall be delivered by personal service upon the owner or occupant of the adjoining premises and shall state in the order the penalty as provided in section 25.04 of this Municipal Code for failure to remove the encroachment or encumbrances.
- (d) If the order is not immediately complied with, a citation may be issued for the appropriate penalty as indicated in section 25.04 of this Municipal Code.

### (2) *Exceptions.* The prohibition of subsection (1) shall not apply to the following:

- (a) Clocks attached to buildings which project not more than six feet from the face of such building and which do not extend below any point ten feet above the sidewalk, street or alley. ~~Signs are subject to the provisions of section 27.11 of this Municipal Code.~~
- (b) Awnings which do not extend below any point seven feet above the sidewalk, street or alley.
- (c) Public utility encroachments duly authorized by state law or the city council.
- (d) Outdoor seating, outdoor display of merchandise, outdoor plant displays, or fixtures, only when permission is expressly given by the city council by application therefor.
- (e) When permission is expressly given by the city council upon application therefor. Projecting signs are subject to the provisions of section 27.11(4) of this Municipal Code.
- (f) Sidewalk cafes. Restaurants creating an outdoor seating area in the public right-of-way immediately adjacent to the restaurant may, upon approval by the city council following application to the city clerk, occupy and use a portion of the city right-of-way as approved by the city council and subject to the sidewalk cafe policy and procedures adopted by the City of Sturgeon Bay. The application fee for a sidewalk cafe shall be identified in the sidewalk cafe policy and procedures as adopted by the City of Sturgeon Bay. Any restaurant which obtains approval from the city council to serve alcohol upon the public right-of-way shall, in addition to receiving authorization under this section, obtain an amendment to its alcohol beverage license permitting service and consumption of alcohol upon the public right-of-way.
- (g) Requirements for permitted Encroachments. Encroachments into public rights-of-way listed under par. (a) through (f) above shall be for such proposed use including but not limited to outdoor seating, outdoor display of merchandise, and outdoor plant displays located in the Waterfront Redevelopment Area subject to the following:
  - 1. The minimum cleared sidewalk width shall at all times be six feet.

- 
2. The owner of the building housing the business encroaching into the right-of-way shall sign and file a "Hold Harmless and Indemnification Agreement" relieving the city of any legal liability related to the encroachment.
  3. Restaurants adding outdoor seating shall be reviewed by the department of ~~health and human services~~agriculture, trade, and consumer protection.
  4. If portions of this section conflict with provisions in other sections of this Municipal Code, such as regulations that would prohibit proposed encroachments or be more restrictive regarding regulation of proposed encroachments, the more restrictive provision(s) shall govern.
  5. ~~Encroachments under this subsection located in the Waterfront Redevelopment Area must be approved by the common council.~~
  6. ~~Encroachments under this subsection, excepting those for sidewalk cafes~~Sidewalk Café encroachments under this subsection, shall require an annual permit to be issued by the office of the city clerk upon payment of a fee in an amount set by the common council.

(Code 1992, § 8.06; Ord. No. 1024-999, § 1, 9-9-99; Ord. No. 1147-0705, §§ 1, 2, 7-5-05; Ord. No. 1270-0112, § 1, 1-3-12)



## SIDEWALK CAFÉ POLICY/PROCEDURES

Sidewalk café shall mean ~~the expansion of an establishment creating~~ an outdoor seating area in the public right of way or other public property that immediately adjoins ~~thean~~ licensed premises establishment selling food or beverages for the purpose of consuming food or beverages sold by that establishment. Sidewalk café shall also mean an outdoor seating area within 10 feet of thea public right-of-waysidewalk or walkway, unless separated by a permanent barrier such as a wall or hedge.

### APPLICATION SUBMISSION:

The following shall be submitted to the City Clerk's Office.

1. A permit application, ~~which shall consist of a written request along with a scaled diagram, to operate a sidewalk café. (This permit application shall be reviewed by the Community Development Office and Street Department prior to submission to the Common Council for final approval.)~~
  - A2. A diagram (drawn at a convenient and legible scale 1":1') detailing the frontage of the applicant's ~~café or restaurant~~ food and beverage establishment facing the sidewalk area or other public property requested for use as a sidewalk café. The plan shall indicate the location of doorways, width of sidewalk, ~~(distance from curb to building face)~~, location of trees, tree wells, sidewalk benches, trash receptacles, street signs, utilities (including fire hydrants, light fixtures, etc), newspaper racks, mailboxes, fire department connection locations on the building and any other permanent or semi-permanent sidewalk obstruction which may affect or be affected by the proposal. The drawing shall delineate the area requested for use as a sidewalk café, and indicate the total square footage of the affected ~~roadstreet~~ right of way and exact dimensions of the proposed outdoor area. The drawing shall show the arrangement of tables and chairs and the distances between such tables/chairs and the obstructions identified above.
23. Copy of current Certificate of Insurance with the City named as an additional insured.
34. Completed Hold Harmless Certificate.
45. A non-refundable application fee in the amount of \$550.00 per location if alcohol is not served or:  
~~A non-refundable application fee~~ in the amount of \$2200.00 per location if alcohol is served.

### Application Review/Approval:

1. Completed applications shall be reviewed by the City Clerk, Community Development Department, Public Works Department, and Fire Department for compliance with the requirements of this policy and section 8.06 of the municipal code.
2. Applications that are in compliance with the requirements of this policy shall be submitted to the Common Council for final approval. The Common Council may impose appropriate conditions upon approved sidewalk cafés.
3. Sidewalk café permits shall be effective for not more than one year. Renewals shall follow

the application procedures listed above.

#### **SIDEWALK CAFÉ STANDARDS:**

The following standards, criteria, conditions, and restrictions shall apply to all sidewalk cafés, however, additional restrictions to protect and promote public safety, health, or welfare may be imposed.

1. Sidewalk cafés are restricted to the public right of way or other public property immediately adjacent to the applicant's premise.
2. Tables, chairs, or other fixtures in the sidewalk café:
  - a. Shall not block designated ingress, egress, or fire exits from or to the establishment or any other structure.
  - b. Shall be readily removable and shall not be physically attached, chained, or in any manner affixed to any structure, tree, post, sign or other fixture.
  - c. ~~Shall be removed when the sidewalk café is not in operation.~~
  - d. Shall be maintained in a clean, sanitary and safe manner.
  - e. Must remain within designated boundaries when seating is filled to capacity.
  - f. Must be located consistent with the approved sidewalk café diagram. All staff responsible for set up of the sidewalk café must know how to arrange it according to ~~original application~~ the approved sidewalk café diagram and do so consistently.
  - g. ~~Must be removed from the sidewalk between the hours of 10:00 p.m. and 6:00 a.m.~~

#### **3. Sidewalk Cafes may only be operated from 6:00 am to 10:00 pm.**

**4.3.** Sidewalk cafes shall be located in such a manner that a distance of not less ~~that~~ than six feet is maintained at all times as a clear and unobstructed pedestrian path. For the purpose of minimum clear path, signs, trees, plantings, sculptures, benches, newspaper dispensers or any of the like shall be considered obstructions.

a. A distance not less than three feet from tree grates will be required to be clear and unobstructed.

**5.4.** The sidewalk café, and area immediately adjacent, shall be maintained in an orderly and neat manner at all times. Debris shall be removed as required during the day.

**6.5.** No food preparation, food storage, or refrigeration ~~apparatus, or~~ equipment shall be allowed in the sidewalk café.

**7.6.** A copy of the approved site plan shall be maintained on the applicant's premises and shall be available for inspection at all times.

**8.7.** The use of the public right of way as a sidewalk café shall not be an exclusive use. All public improvements, including but not limited to trees, light poles, traffic signs, maintenance procedures, shall take precedence over said use of public right of way at all times. The Chief of Police or designee may temporarily order the removal of the sidewalk café for special events.

**9.8.** The City, its officers and employees, shall not be responsible for sidewalk café fixtures that are relocated or damaged.

**10.9.** The approval of a sidewalk café permit is conditional at all times. A sidewalk café permit



may be revoked or suspended by the Chief of Police or his designee where necessary to protect the public health, safety, or welfare, to prevent a nuisance from developing or continuing, in emergency situations, or due to noncompliance with the conditions of the permit.

#### **SIDEWALK CAFÉ STANDARDS WITH ALCOHOL BEVERAGES BEING SERVED:**

All procedures set forth for a standard Sidewalk Café Permit apply in addition to the following:

1. Service of alcohol beverages shall only be permitted to those ~~full-service~~full-service restaurants whose food sales are greater than 50 percent of its gross receipts. Applicant must provide written certification that food sales are greater than 50 percent of its gross receipts.
- ~~2. The service and consumption of alcohol shall be limited to the hours set forth in the sidewalk café permit.~~
23. Alcohol beverages shall only be served to patrons of the establishment by a server in the sidewalk café. There shall be no carry-out or carry-in of alcohol beverages by the patron to and from the sidewalk café except in the Entertainment District.
- ~~4. Patrons of the establishment in the sidewalk café shall remain seated at the table when consuming alcohol.~~
35. Alcohol beverage shall only be served to patrons of the establishment that are receiving food service in the sidewalk café.

#### **RESPONSIBILITY OF LICENSEE:**

~~6. The alcohol license holder must include or amend the A~~Premise@ portion-section ~~of the alcohol license issued by the City of Sturgeon Bay to include the sidewalk café. The license holder shall, in addition to all other requirements of the law and the City liquor license, take reasonable steps to ensure that alcohol beverages are consumed only by patrons of the establishment who are of legal drinking age, and not by passersby or persons who are not of age or who are obviously intoxicated. Failure to take reasonable steps and use them at all times in the sidewalk café is grounds for suspension or revocation of the sidewalk café permit.~~

#### **RESPONSIBILITY OF PATRONS:**

~~No person shall leave the sidewalk café area listed in the permit with an alcohol beverage. Any person doing so shall be in violation of City ordinance section prohibiting the consumption of alcohol or possession of open containers on streets.~~

Adopted 7/05/05 Revised / /2024

## **SIDEWALK CAFÉ POLICY/PROCEDURES**

Sidewalk café shall mean an outdoor seating area in the public right of way or other public property that immediately adjoins an establishment selling food or beverages for the purpose of consuming food or beverages sold by that establishment. Sidewalk café shall also mean an outdoor seating area within 10 feet of a public sidewalk or walkway, unless separated by a permanent barrier such as a wall or hedge.

### **APPLICATION SUBMISSION:**

The following shall be submitted to the City Clerk's Office.

1. A permit application
2. A diagram (drawn at a convenient and legible scale) detailing the frontage of the applicant's food and beverage establishment facing the sidewalk area or other public property requested for use as a sidewalk café. The plan shall indicate the location of doorways, width of sidewalk, distance from curb to building face, location of trees, tree wells, sidewalk benches, trash receptacles, street signs, utilities (including fire hydrants, light fixtures, etc.), newspaper racks, mailboxes, fire department connection locations on the building and any other permanent or semi-permanent sidewalk obstruction which may affect or be affected by the proposal. The drawing shall delineate the area requested for use as a sidewalk café and indicate the total square footage of the affected street right of way and exact dimensions of the proposed outdoor area. The drawing shall show the arrangement of tables and chairs and the distances between such tables/chairs and the obstructions identified above.
3. Copy of current Certificate of Insurance with the City named as an additional insured.
4. Completed Hold Harmless Certificate.
5. A non-refundable application fee in the amount of \$55.00 per location if alcohol is not served or in the amount of \$220.00 per location if alcohol is served.

### **APPLICATION REVIEW/APPROVAL:**

1. Completed applications shall be reviewed by the City Clerk, Community Development Department, Public Works Department, and Fire Department for compliance with the requirements of this policy and section 8.06 of the municipal code.
2. Applications that are in compliance with the requirements of this policy shall be submitted to the Common Council for final approval. The Common Council may impose appropriate conditions upon approved sidewalk cafés.
3. Sidewalk café permits shall be effective for not more than one year. Renewals shall follow the application procedures listed above.

### **SIDEWALK CAFÉ STANDARDS:**

The following standards, criteria, conditions, and restrictions shall apply to all sidewalk cafés, however, additional restrictions to protect and promote public safety, health, or welfare may be imposed.



1. Sidewalk cafés are restricted to the public right of way or other public property immediately adjacent to the applicant's premise.
2. Tables, chairs, or other fixtures in the sidewalk café:
  - a. Shall not block designated ingress, egress, or fire exits from or to the establishment or any other structure.
  - b. Shall be readily removable and shall not be physically attached, chained, or in any manner affixed to any structure, tree, post, sign or other fixture.
  - c. Shall be maintained in a clean, sanitary and safe manner.
  - d. Must remain within designated boundaries when seating is filled to capacity.
  - e. Must be located consistent with the approved sidewalk café diagram. All staff responsible for set up of the sidewalk café must know how to arrange it according to the approved sidewalk café diagram and do so consistently.
3. Sidewalk Cafes may only be operated from 6:00 am to 10:00 pm.
4. Sidewalk cafes shall be located in such a manner that a distance of not less than six feet is maintained at all times as a clear and unobstructed pedestrian path. For the purpose of minimum clear path, signs, trees, plantings, sculptures, benches, newspaper dispensers or any of the like shall be considered obstructions.
  - a. A distance of not less than three feet from tree grates will be required to be clear and unobstructed.
5. The sidewalk café, and area immediately adjacent, shall be maintained in an orderly and neat manner at all times. Debris shall be removed as required during the day.
6. No food preparation, food storage, or refrigeration equipment shall be allowed in the sidewalk café.
7. A copy of the approved site plan shall be maintained on the applicant's premises and shall be available for inspection at all times.
8. The use of the public right of way as a sidewalk café shall not be an exclusive use. All public improvements, including but not limited to trees, light poles, traffic signs, maintenance procedures, shall take precedence over said use of public right of way at all times. The Chief of Police or designee may temporarily order the removal of the sidewalk café for special events.
9. The City, its officers and employees, shall not be responsible for sidewalk café fixtures that are relocated or damaged.
10. The approval of a sidewalk café permit is conditional at all times. A sidewalk café permit may be revoked or suspended by the Chief of Police or his designee where necessary to protect the public health, safety, or welfare, to prevent a nuisance from developing or continuing, in

emergency situations, or due to noncompliance with the conditions of the permit.

**SIDEWALK CAFÉ STANDARDS WITH ALCOHOL BEVERAGES BEING SERVED:**

All procedures set forth for a standard Sidewalk Café Permit apply in addition to the following:

1. Service of alcohol beverages shall only be permitted to those full-service restaurants whose food sales are greater than 50 percent of its gross receipts. Applicant must provide written certification that food sales are greater than 50 percent of its gross receipts.
2. Alcohol beverages shall only be served to patrons of the establishment by a server in the sidewalk café. There shall be no carry-out or carry-in of alcohol beverages by the patron to and from the sidewalk café except in the Entertainment District.
3. Alcohol beverage shall only be served to patrons of the establishment that are receiving food service in the sidewalk café.

**RESPONSIBILITY OF LICENSEE:**

The alcohol license holder must include or amend the Premise section of the alcohol license issued by the City of Sturgeon Bay to include the sidewalk café.

Adopted 7/05/05 Revised \_\_/\_\_/2024

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Finance/Purchasing & Building Committee, hereby recommend to approve both concept A and B from Edgewater Resources for city property along Nautical Drive.

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

RESOLVED, that the foregoing recommendation be adopted.

Dated: March 12, 2024

\*\*\*\*\*

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

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

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

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

## Executive Summary

**Title:** Waterfront Planning for City Property along Nautical Drive.

**Background:** In November 2023, the Finance Committee approved the proposal from Edgewater resources to create a master plan and renderings for the Nautical Drive property located at 600 Nautical Drive, the former "E" dock area and the area surrounding parcel #281-64-76000821. The proposal included structural repairs to the dock wall, building a new pavilion structure for the Sail Training Foundation (STF) for boat storage and instruction spaces, potential trail connections, and work to generally beautify the site.

On December 11-13 of 2023 the City hosted a workshop where local stakeholders could voice their opinions on the project and what they would envision on the property. Since then, the city received three initial drawings that City Staff reviewed and submitted back with general comments (such as setbacks, lining up the driveway with the boat ramp, smaller ramp, etc.) and requested that the three renderings be reduced to two. The two renderings that the city received afterward are included in the packet.

The concepts that have been received are not a concrete path forward for what will happen at this property, the City may alter the plan as the needs of the community change. Having these plans also does not mean that the City will begin work on this site immediately, this is simply a proposal for the site to help not only City Staff, but the community have an idea on what can be done on this property. The plans can also be used as a tool to attract developers for this site.

**Summary of Concepts:** Concept A has a boater recreation focus and Concept B has a Visitor Center focus. The main differences are:

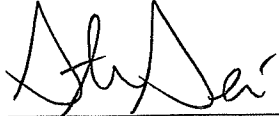
- In the boater recreation focused concept, there is one building proposed that is 2,700 sq ft for the STF with a 900 sq ft public restroom attached, the boat launch is closer to the yacht club building, there is a bioswale collection system in the parking lot, a naturalized shoreline, and there are more fingers on the E-dock.
- In the visitor center focused concept there is a larger building of 6,000 square feet proposed for the National Estuarine Research Reserve (NERR) facility and restrooms and a smaller separate building for the STF. The boat launch is further from the Yacht Club, there is a larger dock for the STF, and the E-dock has fewer fingers but enough space for research vessels.
- Both concepts include a multi-use trail and benches, a bridge across the creek, trailhead amenities, seating/ viewing areas, replacing the e-dock, sail training foundation docks, a renovated boat launch, flexible lawn space, and improved parking.


**Fiscal Impact:** The total estimated fiscal impact for Edgewater Resource's services was \$20,800. The money for this project has already been included in the budget for 2024. The costs to implement the concepts have not been determined.

**Options:**

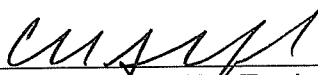
- 1) Approve Concept A from Edgewater Resources.
- 2) Approve Concept B from Edgewater Resources.
- 3) Approve both Concept A and B from Edgewater Resources.
- 4) Recommend changes to the concept plans.
- 5) Reject the concept plans.

**Recommendation:** Approve the Concept A proposal from Edgewater Resources as submitted.

Prepared by:  3-6-24  
Stephanie Servia, Planner/Zoning Administrator Date

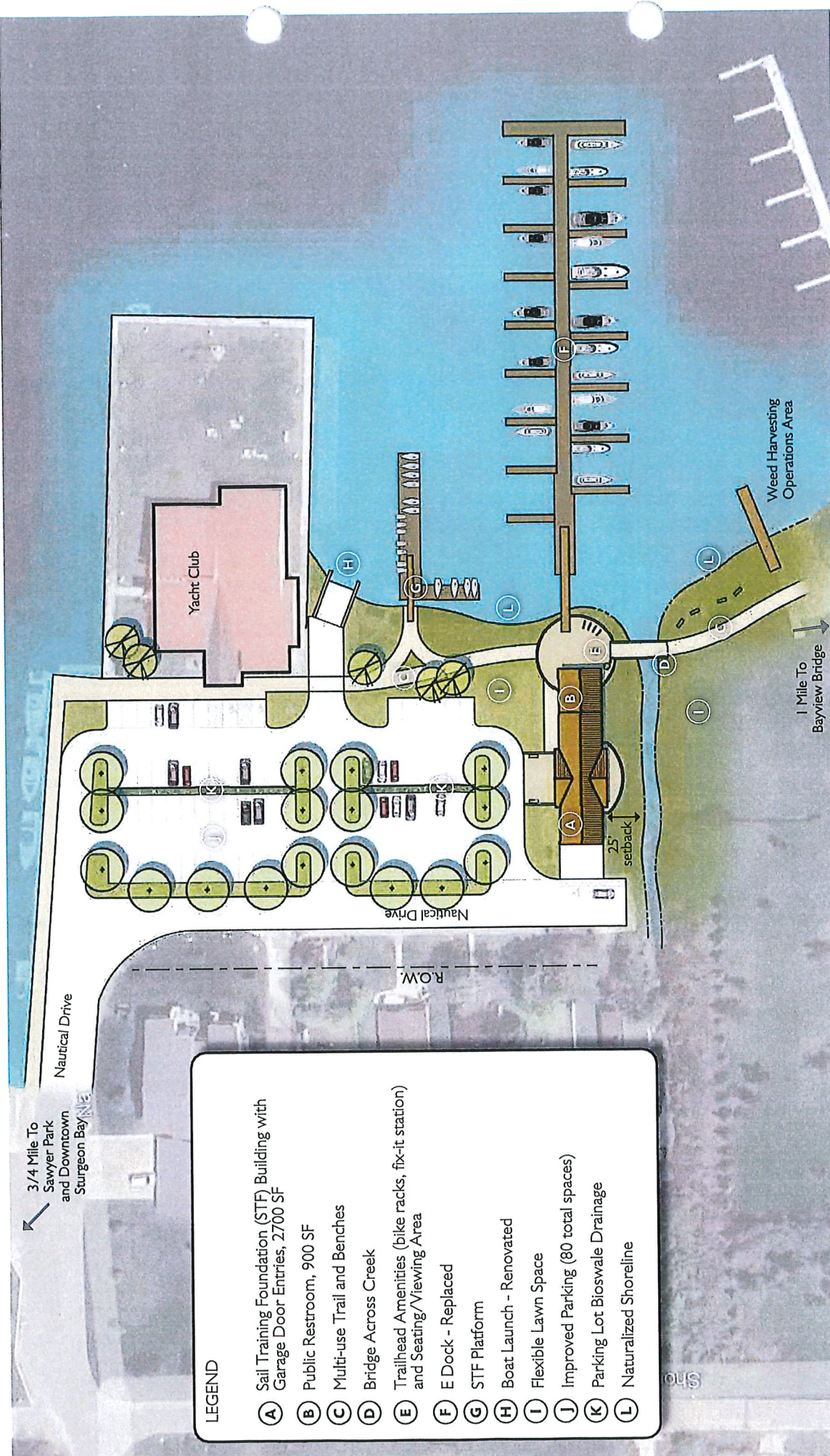
Reviewed by:  3-6-2024  
Marty Olejniczak, Community Development Director Date

Reviewed by:  3/6/24  
Josh VanLeishout, City Administrator Date

Reviewed by:  3-6-24  
Chad Shefchik, City Engineer Date

Reviewed by:  3-6-24  
Mike Barker, Municipal Services Director Date





LEGEND

A

Sail Training Foundation (STF) Building with Garage Door Entries, 2700 SF

B

Public Restroom, 900 SF

C

Multi-use Trail and Benches

D

Bridge Across Creek

E

Trailhead Amenities (bike racks, fix-it station) and Seating/Viewing Area

F

E Dock - Replaced

G

STF Platform

H

Boat Launch - Renovated

I

Flexible Lawn Space

J

Improved Parking (80 total spaces)

K

Parking Lot Bioswale Drainage

L

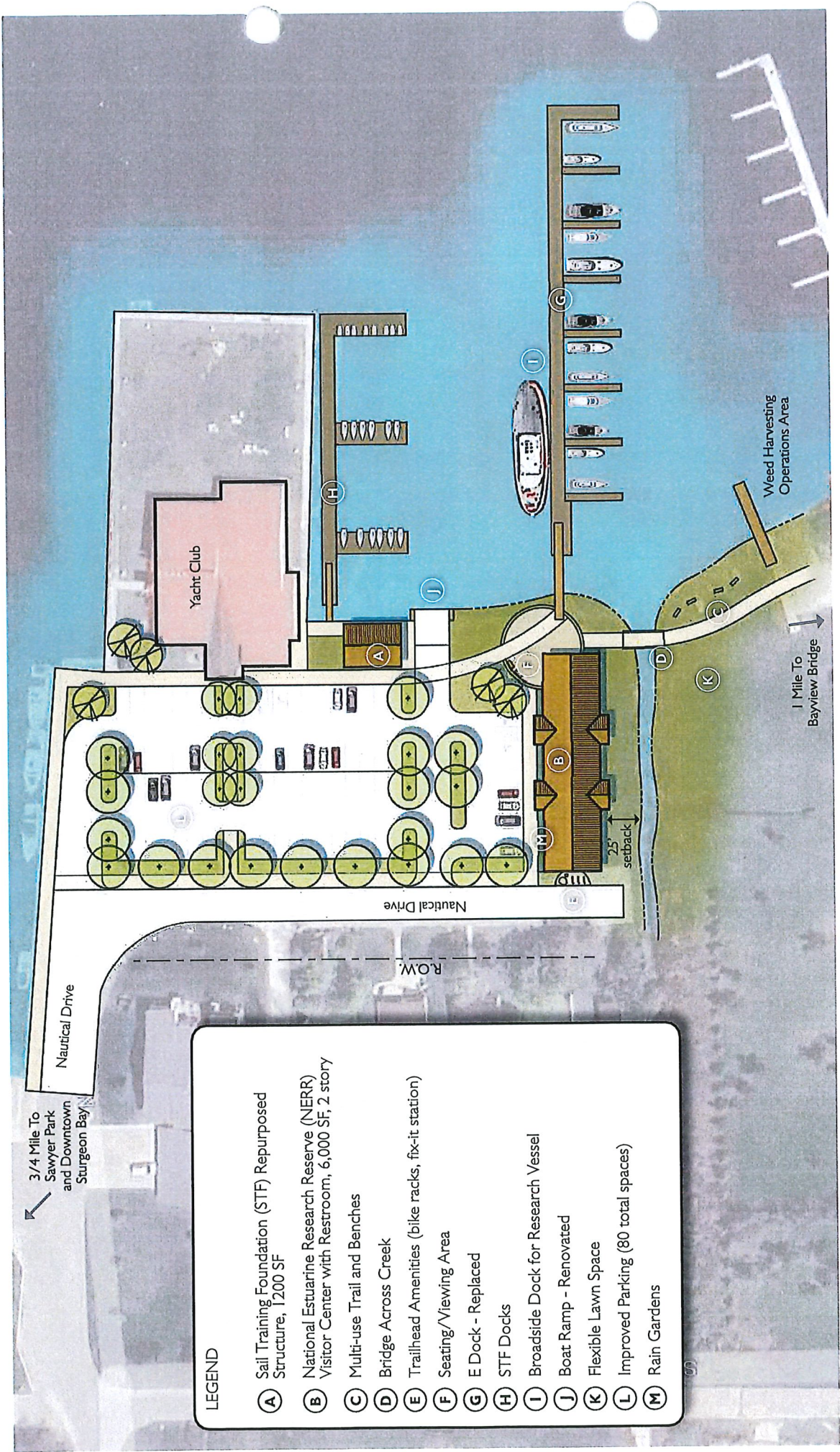
Naturalized Shoreline



CONCEPT A: Boater Recreation Focus

January 29, 2024





- LEGEND**
- (A)** Sail Training Foundation (STF) Repurposed Structure, 1200 SF
  - (B)** National Estuarine Research Reserve (NERR) Visitor Center with Restroom, 6,000 SF, 2 story
  - (C)** Multi-use Trail and Benches
  - (D)** Bridge Across Creek
  - (E)** Trailhead Amenities (bike racks, fix-it station)
  - (F)** Seating/Viewing Area
  - (G)** E Dock - Replaced
  - (H)** STF Docks
  - (I)** Broadside Dock for Research Vessel
  - (J)** Boat Ramp - Renovated
  - (K)** Flexible Lawn Space
  - (L)** Improved Parking (80 total spaces)
  - (M)** Rain Gardens



CONCEPT B: Visitor Center Focus  
January 29, 2024

**Nautical Drive Redevelopment**  
Sturgeon Bay, WI



Nautical Drive Redevelopment  
Visioning Session 12/12/23, Summary of Input  
Sturgeon Bay, WI

**Dot Exercise, Favorite Photos:**

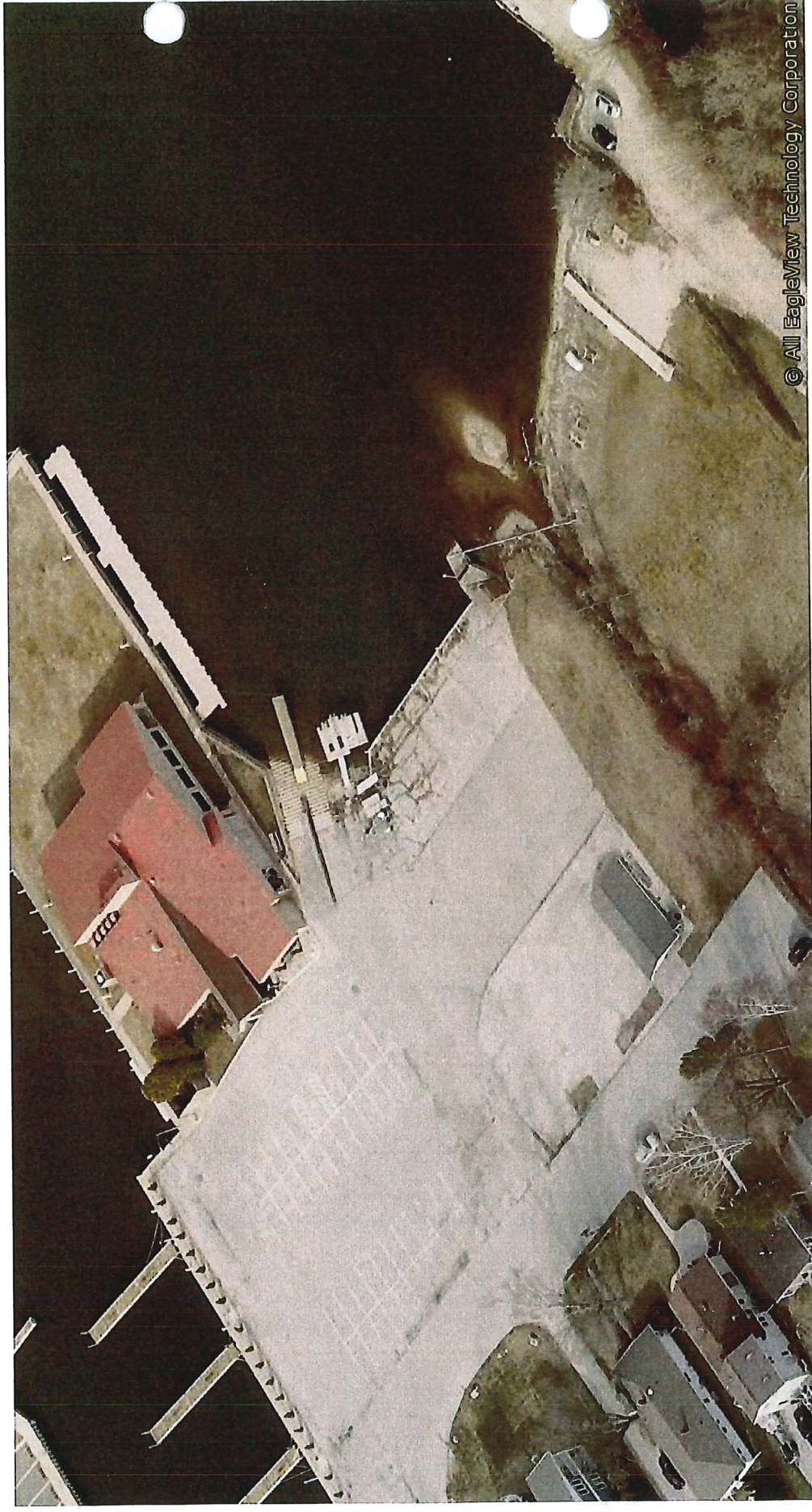
Sail Training small sailboats  
Small restroom building  
Flex green space  
Solar panels  
Small sail building from Brooklyn Marina  
Bioswales  
Dry-stacked stone shoreline  
Picnic shelter  
Swinging bench

**Notecard comments (with number of times mentioned):**

STF Building with roll-down walls 2  
Restrooms 3  
More sailboat slips 2  
Improved ramp/hoist 3  
Improve shoreline  
Dry storage 2  
Benches for waterfront viewing  
Fishing  
Sand beach, floating youth sail dock 2  
Trailhead  
Biofiltration/enhance ecology of site 2  
Trail connection with wayfinding (what is public vs private)  
Fishing



# Nautical Drive Existing Conditions





# General Area of Proposed Waterfront Planning





## Servia, Stephanie

---

**From:** Dean Gordon <hookedupdean@gmail.com>  
**Sent:** Tuesday, March 12, 2024 3:10 PM  
**To:** Servia, Stephanie  
**Subject:** Proposed nautical drive waterfront

You don't often get email from hookedupdean@gmail.com. [Learn why this is important](#)

Hello,

Thanks for taking my call today. As I mentioned I was unable to partake in the initial public comment section prior to creating these conceptual plans but had some thoughts I wanted to share. First, I would like to say I think it is great the city is looking into improving this often forgotten area of waterfront space.

My recommendation to the finance committee would be to place this proposal on hold and recommend changes to the conceptual plans prior to sending this to the full council for approval. My reasons are below.

- 1.) The small stream that flows into the bay adjacent to this site produces sediment that affects the depth of water in the area nearest the stream. In both conceptual plans the sail training foundations allocated spaces are located farthest from this stream in the deepest, least impacted by sediment area of this harbor. The sunfish style small boats the foundation uses do not have a keel, just a shallow hull and a rudder requiring less water to operate than the vessels shown docked in this area. One of the key reasons this dock was not utilized by the past lease holder was lack of adequate water where the original E dock was located. Towards the end of its use, only the very end handful of slips on E dock were utilized before abandoning the use of this dock altogether. The pilings have been removed and we have the opportunity now to better utilize this site and not repeat the same mistake of the past. Flipping the design to have the sail foundation on the south, and boat slips located where the sail foundation is shown now, would drastically reduce the impact of sediment movement in this area.
- 2.) The sail foundation currently operates out of the Yacht Club, and the Yacht Club has wall frontage around the front facing and north facing wall that would already provide access for special events and/or larger boats.
- 4.) A priority should be given for commercial operations with the proposed slips regardless of which model is utilized. Sturgeon Bay is unique compared to our surrounding ports. Algoma, Kewanee, Sheboygan and all the ports down the coast have municipal options for slip holders that ensures their viability. Sturgeon Bay has made numerous improvements to the waterfront over the years, including the slips at Stone Harbor, The Harbor Club, the wall space by the Granary, Graham Park, and the pontoon boat rentals by the bridge. None of these options have taken into consideration the 20 charter boats that operate in Sturgeon Bay scattered out over the various marinas. I am very happy with my slip where we are at, but several marinas have expressed, or eliminated charter boats from their operations. Prior to Madeline Marina being acquired, the bank ran the marina and many charter boats operated on the assumption that their slip could be gone overnight. Several marinas while catering to high end boats are renting slips for more than triple what our competition is able to find in other ports with a municipal option. Charter fishing brings in a considerable financial impact to Sturgeon Bay businesses. Hotels, restaurants, bars and other local businesses all reap the reward of business that

would otherwise not be in our area. This site brings a unique opportunity for Sturgeon Bay to address this hurdle, and I feel it should be at the forefront of this planning.

Again, I am very happy with my current location at Bay Marine, they have been great to work with, but I am not naive enough to realize that things change. Marinas get sold, plans change, and our business as well as several others are at the mercy of these potential changes. The City has the opportunity to incorporate a plan to protect Sturgeon Bay charter boats into the future if this plan is carried out in a thoughtful manner.

Thank you for your time and consideration.

Dean Gordon  
920-495-5586

## Servia, Stephanie

---

**From:** Scott Gutschow <reelaction911@gmail.com>  
**Sent:** Tuesday, March 12, 2024 1:07 PM  
**To:** Servia, Stephanie  
**Subject:** Re: Nautical Drive Improvements

You don't often get email from reelaction911@gmail.com. [Learn why this is important](#)

Yes .. I would like an opportunity to address the committee to consider the improvements to nautical drive be "multi" use.

Over my 30 years running our charter operation on the surgeon bay and surrounding waters I have seen many changes. From the building of Stone Harbor, to DJ's on the bay Harbor Club, to the DNR offices , to the USCG facility.

As a business owner who is relies on public access to the water I would hope the nautical drive improvements could mirror cities like Sheboygan , charlivoix , Leeland, Frankfort or the many other cities with multi-purpose waterfront.

Fishtown in Leeland harbor is a specific example of a city that has married sailing, cruising, fishing, arts, festivals, and more into a tiny harbor that has truly maximized its shore frontage. But let's not stop there, we need to look at Ludington, st Joe, grand haven, or Muskegon.

I apologize for the quick email. It has holes in it, but hope to discuss this at the meeting.

Thanks

Scott Gutschow

Sent from my iPhone

On Mar 12, 2024, at 12:38 PM, Servia, Stephanie <SServia@sturgeonbaywi.gov> wrote:

Hi Scott,

There should be an opportunity for the public to speak, it is not a public hearing though. Is there anything specific you would like to recommend or make a comment about?

Thank you,

Stephanie Servia  
Planner / Zoning Administrator  
City of Sturgeon Bay  
(920)746-2907  
[sservia@sturgeonbaywi.gov](mailto:sservia@sturgeonbaywi.gov)

**Servia, Stephanie**

---

**From:** Bill Draeb <billdraeb@yahoo.com>  
**Sent:** Tuesday, March 12, 2024 3:29 PM  
**To:** Servia, Stephanie  
**Subject:** finance committee nautical drive waterfront improvements

You don't often get email from billdraeb@yahoo.com. [Learn why this is important](#)

Hi

I am not able to attend the meeting today but I wanted to express my support for concept (A) having a focus on the recreational boaters and water enthusiasts. Sail Training Foundation has been around for over 60 years and operated out of and in conjunction with the Sturgeon Bay Yacht Club. We have a very unique opportunity that we can share with our community and children to introduce them to water activities early on in their lives. STF should be allowed to grow larger over time in the same location teaching kids and adults to Sail and learn water safety.

Sincerely

Bill Draeb

DRAEB JEWELERS INC. WWW.DRAEBJEWELERSINC.COM 50 N 3RD AVE STURGEON BAY WI 54235 P.920.743.4233 F.920.743.4283

## Servia, Stephanie

---

**From:** Griff Goetsch <seegriff@gmail.com>  
**Sent:** Tuesday, March 12, 2024 12:11 PM  
**To:** Servia, Stephanie  
**Subject:** Nautical Drive

You don't often get email from seegriff@gmail.com. [Learn why this is important](#)

Good afternoon,

I would like to say that the committee's recommendation of proposal A is the better fit for the city. STF has been doing a fantastic job of making better people out of the students for decades. I am sure that Helen has spoken about her father Harry and how instrumental he was in starting Sail Training.

I think that if plan A is approved by the council the plan can be looked at again and massaged to make it even better in the future.

I am also concerned that there would be no space in the lot for the dry stored small sailboats that are used for Thursday night racing but that is an easy fix later.

Best regards,  
Griff Goetsch  
303 S Fulton Ave

# Comments under Facebook Post

Most relevant ▼



Claire Thompson

I cant make it to the meeting, however I would be concerned if dock space for STF were reduced (the first rendering looks as such). STF has awesome opportunities for youth and I hope growth accommodations are considered.

...

1d Like Reply [Send message](#) Hide



Author

City of Sturgeon Bay

Claire Thompson Hi Claire, thank you for your input.

1m Like Reply



Reply to Claire Thompson...



Kris Robertson

What do all the round green areas in the parking lot represent?

1d Like Reply [Send message](#) Hide



Author

City of Sturgeon Bay

Kris Robertson Hi Kris, the round green areas are trees.

1d Like Reply



Kris Robertson

City of Sturgeon Bay Thank you

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

We, the Harbor Commission, hereby recommend approving the 2024 Harbor Improvement Plan.

Respectfully submitted,

Harbor Commission  
By: Gary Nault, Chr.

RESOLVED, that the foregoing recommendation be adopted.

Dated: March 13, 2024

\* \* \* \* \*

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

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

# STURGEON BAY HARBOR IMPROVEMENT PLAN

March 6, 2024

## OBJECTIVE:

To improve and fully utilize the Sturgeon Bay harbor for the best commercial and public return.

## HOW TO ACHIEVE:

1. Develop a list of improvements for both City-owned and private water frontage.
2. Work with governmental agencies for long range planning and grants to improve harbor coordination and use.
3. Prioritize improvement items based on immediate need, financial return and long-range plans.

## HARBOR IMPROVEMENT OUTLINE

The following are potential projects to improve the access and functioning of the Sturgeon Bay Harbor. These projects are more fully described in the attached statement of intentions:

- I. NAUTICAL DRIVE PROPERTY: This project involves the portion of city owned property south of the Sturgeon Bay Yacht Club on the west side of the harbor where the so-called E-Dock once existed. The proposed project involves dredging, construction of a suitable dock or pier and improvements / repairs to the wall. The water depth in this area ranges from 5' to 12' so dredging would be necessary. Great care when dredging is required to avoid impacts to the sanitary sewer main that crosses under the bay in this location. There is sheet piling along the wall, but there is an area behind the sheet piling that has eroded leaving voids beneath the existing asphalt. The pier will include electrical and potable water supply. It will also be outfitted with substantial cleats to accommodate the heavier vessels. This new pier will provide a currently-unavailable mooring facility for tug boats that frequently transit through the bay. It may also be used to benefit the tugboat fleet that currently works primarily within the bay as well as potential other commercial and or research vessels in the future.
- II. EAST SIDE DOCK IMPROVEMENTS: The east side dock is located at the foot of Pennsylvania Street. The proposed project involves upgrades to the electrical service, along with mooring improvements, in order to improve the docking of vessels including cruise ships, tugboats, USCG vessels, barges, and other commercial vessels. The objective is to increase options for mooring various commercial vessels in the downtown area.

III. DOCK WALL ALONG BAYVIEW BUSINESS PROPERTIES FRONTAGE:

This project involves the creation of a new steel dock wall along the approximately 210 feet of water frontage owned by Bayview Business Properties LLC, located at 253 N 1st Ave. It involves new steel sheet piling and dredging along with land access and utility improvements. This new dock wall could be used by a variety of commercial vessels, including allowing the adjoining Fincantieri Bay Shipbuilding to moor longer freighters, thereby increasing the mooring capacity during the winter fleet layover.

**THREE-YEAR HARBOR DEVELOPMENT  
STATEMENT OF INTENTIONS  
April 1, 2024 through December 31, 2026**

**Due: April 1, 2024**

**Send to: WisDOT**  
Railroads & Harbors Section  
P. O. Box 7914  
Madison, Wisconsin 53707-7914

Sturgeon Bay  
Port & Harbor Facility Name

City of Sturgeon Bay  
Responsible Local Unit of Government  
(Port, County, City, Village or Town)

Improvements Proposed in Calendar Year 2024 (pick a year - 2024, 2025, 2026)

Instructions: Complete one of these sheets for each project contemplated in each of the next three years (2024, 2025, & 2026). Include only those projects that benefit WATERBORNE and/or COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal, dock wall construction, and other harbor assistance and improvement projects.

**PART I Type of Project, Description and Objective(s)**

**NAUTICAL DRIVE PROPERTY:** This project involves the portion of city owned property south of the Sturgeon Bay Yacht Club on the west side of the harbor where the so-called E-Dock once existed. The proposed project involves dredging, construction of a suitable dock or pier and improvements / repairs to the wall. The water depth in this area ranges from 5' to 12' so dredging would be necessary. Great care when dredging is required to avoid impacts to the sanitary sewer main that crosses under the bay in this location. There is sheet piling along the wall, but there is an area behind the sheet piling that has eroded leaving voids beneath the existing asphalt. The pier will include electrical and potable water supply. It will also be outfitted with substantial cleats to accommodate the heavier vessels. This new pier will provide a currently-unavailable mooring facility for tug boats that frequently transit through the bay. It may also be used to benefit the tugboat fleet that currently works primarily within the bay as well as potential other commercial and or research vessels in the future.

**PART II Project Resources**

Expected Funding Sources (All types)	Amount
1) WI DOT	1,200,000
2) City of Sturgeon Bay	\$300,000
3)	
4)	
Total	1,500,000

Notes:

**PART III Rank & Probability**

(a) Of the projects listed for the year noted above, this project is of 1st priority to the applicant (1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, etc...)

(b) The estimated probability of this project being started in the year noted above is:

(Circle one)

High

Medium

Low

Prepared By: Mike Barker, Harbor Master

Date: March 6, 2024

**THREE-YEAR HARBOR DEVELOPMENT  
STATEMENT OF INTENTIONS  
April 1, 2024 through December 31, 2026**

**Due: April 1, 2024**

**Send to: WisDOT**  
Railroads & Harbors Section  
P. O. Box 7914  
Madison, Wisconsin 53707-7914

Sturgeon Bay  
Port & Harbor Facility Name

City of Sturgeon Bay  
Responsible Local Unit of Government  
(Port, County, City, Village or Town)

Improvements Proposed in Calendar Year 2024 (pick a year - 2024, 2025, 2026)

Instructions: Complete one of these sheets for each project contemplated in each of the next three years (2024, 2025, & 2026). Include only those projects that benefit WATERBORNE and/or COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal, dock wall construction, and other harbor assistance and improvement projects.

**PART I Type of Project, Description and Objective(s)**

**EAST SIDE DOCK IMPROVEMENTS:** The east side dock is located at the foot of Pennsylvania Street. The proposed project involves upgrades to the electrical service, along with mooring improvements, in order to improve the docking of vessels including cruise ships, tugboats, USCG vessels, barges, and other commercial vessels. The objective is to increase options for mooring various commercial vessels in the downtown area

**PART II Project Resources**

	Expected Funding Sources (All types)	Amount
1)	WI DOT	\$48,000
2)	City of Sturgeon Bay	\$12,000
3)		
4)		
Total		\$60,000

Notes:

**PART III Rank & Probability**

(a) Of the projects listed for the year noted above, this project is of 2nd priority to the applicant (1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>,

(b) The estimated probability of this project being started in the year noted above is:

(Circle one)  
High Medium Low

Prepared By: Mike Barker, Harbor Master

Date: March 6, 2024

**THREE-YEAR HARBOR DEVELOPMENT  
STATEMENT OF INTENTIONS  
April 1, 2024 through December 31, 2026**

**Due: April 1, 2024**

**Send to: WisDOT**  
Railroads & Harbors Section  
P. O. Box 7914  
Madison, Wisconsin 53707-7914

Sturgeon Bay  
Port & Harbor Facility Name

City of Sturgeon Bay and/or Bayview Business Properties LLC  
Responsible Local Unit of Government  
(Port, County, City, Village or Town)

Improvements Proposed in Calendar Year 2024 (pick a year - 2024, 2025, 2026)

Instructions: Complete one of these sheets for each project contemplated in each of the next three years (2024, 2025, & 2026). Include only those projects that benefit WATERBORNE and/or COMMERCIAL TRANSPORTATION. Examples include dredging, dredge disposal, dock wall construction, and other harbor assistance and improvement projects.

**PART I Type of Project, Description and Objective(s)**

**DOCK WALL ALONG BAYVIEW BUSINESS PROPERTIES FRONTAGE:** This project involves the creation of a new steel wall along the approximately 210 feet of water frontage owned by Bayview Business Properties LLC, located at 253 N 1st Ave. It involves new steel sheet piling and dredging along with land access and utility improvements. This new dock wall could be used by a variety of commercial vessels, including allowing the adjoining Fincantieri Bay Shipbuilding to moor longer freighters, thereby increasing the capacity of the winter fleet layover.

**PART II Project Resources**

	Expected Funding Sources (All types)	Amount
1)	WI DOT	\$900,000
2)	Property and/or Lessee	\$225,000
3)		
4)		1,125,000
	Total	

Notes:

**PART III Rank & Probability**

(a) Of the projects listed for the year noted above, this project is of 3rd priority to the applicant (1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, ...)

(b) The estimated probability of this project being started in the year noted above is:

(Circle one)  
High Medium Low

Prepared By: Mike Barker, Harbor Master

Date: March 6, 2024

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

An Ordinance to Rezone Parcel #281-62-40000101A located on the southeast corner of Utah Street and S 18th Avenue.

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

SECTION 1: The following described property is hereby rezoned from Single-Family Residential (R-1) to Two-Family Residential (R-3):

At tract of land located in Subdivision 40, SE ¼ of Section 9, Township 27 North, Range 26 East, City of Sturgeon Bay, Door County, Wisconsin and described as follows:

Lot 3 of Certified Survey No. 2733, recorded as Document #765983 in Volume 16, of Certified Survey Maps, Page 251-253, containing 121,183.92 square feet (2.782 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

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

An Ordinance to Rezone Parcel #281-62-11000109 located at south side of Alabama Street.

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

SECTION 1: The following described property is hereby rezoned from Agricultural (A) to General Commercial (C-1):

A tract of land located in Subdivision 11 (NE ¼ of the NE ¼) of Section 5, Township 27 North, Range 26 East, City of Sturgeon Bay, Door County, recorded as Parcel II in Document #845516 and described as follows:

Commencing at the Northeast Corner of Subdivision 11, thence southerly to the southerly right-of-way line of Alabama Street (recorded as County Trunk TT), thence westerly along said southerly right-of-way line of Alabama Street 380 feet to the point of beginning, thence continue westerly along said southerly right-of-way line of Alabama Street 150 feet, thence southerly 150 feet, thence easterly 235 feet, thence northerly 150 feet to the intersection with said southerly right-of-way line of Alabama Street, thence westerly 85 feet to the point of beginning (includes Tract 2 of Certified Survey No. 99, recorded as Document #351315 in Volume 1, of Certified Survey Maps, Page 201-202).

Said parcel contains a total of 35,283 square feet.

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

Approved:

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

Attest:

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



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

An Ordinance to Repeal and Recreate Chapter 23 "Floodplain Zoning Code" of the Municipal Code as follows.

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

SECTION 1: Chapter 23 of the Municipal Code of the City of Sturgeon Bay, Wisconsin is hereby amended to read as follows:

23.01 Statutory authorization, finding of fact, statement of purpose, title, and general provisions.

- (1) *Statutory authorization.* This ordinance is adopted pursuant to the authorization in s. 61.35 and 62.23, Wis. Stats., for villages and cities; and the requirements in s. 87.30, Wis. Stats.
- (2) *Finding of fact.* Uncontrolled development and use of the floodplains and rivers of this municipality would impair the public health, safety, convenience, general welfare, and tax base.
- (3) *Statement of purpose.* This ordinance is intended to regulate floodplain development to:
  - (a) Protect life, health and property;
  - (b) Minimize expenditures of public funds for flood control projects;
  - (c) Minimize rescue and relief efforts undertaken at the expense of the taxpayers;
  - (d) Minimize business interruptions and other economic disruptions;
  - (e) Minimize damage to public facilities in the floodplain;
  - (f) Minimize the occurrence of future flood blight areas in the floodplain;
  - (g) Discourage the victimization of unwary land and homebuyers;
  - (h) Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and

- (i) Discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside of the floodplain.
- (4) *Title.* This ordinance shall be known as the Floodplain Zoning Ordinance for Sturgeon Bay, Wisconsin.
- (5) *General provisions.*
  - (a) *Areas to be regulated.* This ordinance regulates all areas of special flood hazard identified as zones A, AO, AH, A1-30, AE, VE, V1-30, or V on the Flood Insurance Rate Map. Additional areas identified on maps approved by the Department of Natural Resources (DNR) and local community may also be regulated under the provisions of this ordinance, where applicable.
  - (b) *Official maps & revisions.* Special Flood Hazard Areas (SFHA) are designated as zones A, A1-30, AE, AH, AO, VE, V1-30, or V on the Flood Insurance Rate Maps (FIRMs) based on flood hazard analyses summarized in the Flood Insurance Study (FIS) listed in subd. 1 below. Additional flood hazard areas subject to regulation under this ordinance are identified on maps based on studies approved by the DNR and listed in subd. 2 below. These maps and revisions are on file in the City of Sturgeon Bay Community Development Department.

1. Official maps based on the Flood Insurance Study (FIS):

- a. Flood Insurance Rate Map (FIRM), panel numbers 55029C0459D, 55029C0460D, 55029C0478D, 55029C0479D, 55029C0486D, 55029C0487D, and 55029C0491D, dated 05/08/2024;
- b. Flood Insurance Rate Map (FIRM), panel numbers 55029C0458C, 55029C0470C, and 55029C0476C, dated 03/02/2009;
- c. Flood Insurance Study (FIS) for City of Sturgeon Bay (Door County), 55029CV000B, dated 05/08/2024.

Approved by: The DNR and FEMA

2. Official maps based on other studies. Any maps referenced in this subsection must be approved by the DNR and be more restrictive than those based on the FIS at the site of the proposed development.

(c) *Establishment of floodplain zoning districts.* The flood hazard areas regulated by this ordinance are divided into districts as follows:

1. The Floodway District (FW), is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters, within AE Zones as shown on the FIRM, or within A Zones shown on the FIRM when determined according to subsection 23.05(1)(e).
2. The Floodfringe District (FF) is that portion of a riverine special flood hazard area outside the floodway within AE Zones on the FIRM, or, when floodway limits have been determined according to subsection 23.05(1)(e), within A Zones shown on the FIRM.
3. The General Floodplain District (GFP) is those riverine areas that may be covered by floodwater during the regional flood in which a floodway boundary has not been delineated on the FIRM and also includes shallow flooding areas identified as AH and AO zones on the FIRM.
4. The Coastal Floodplain District (CFP) is an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast, and any other area subject to high velocity wave action from storms, including areas identified as zone V, V1-30, or VE on the FIRM. Where a riverine AE floodway extends into the CFP district, development within the floodway must comply with the regulations for both the FW and CFP districts. Where a riverine A zone or AE zone with no floodway determination abuts the CFP district, the riverine study's floodway limit must be determined based on standard floodway expansion principles within the CFP district and development within the floodway must comply with the standards for both the FW and CFP districts.

(d) *Locating floodplain boundaries.* Discrepancies between the exterior boundaries of zones A1-30, AE, AH, or A on the official floodplain zoning map and actual field conditions may be resolved using the criteria in subd. 1 or 2 below. If a significant difference exists, the map shall be amended according to section 23.08 *Amendments*. The zoning administrator can rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required. The zoning administrator shall be responsible for documenting actual pre-development field conditions and the basis upon which the district boundary was determined. Disputes between the zoning administrator and an applicant over the district boundary line shall be

settled according to subsection 23.07(3)(c) and the criteria in subds.1 and 2 below. Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must approve any map amendment or revision pursuant to section 23.8 *Amendments*.

1. If flood profiles exist, the map scale and the profile elevations shall determine the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.
2. Where flood profiles do not exist for projects, including any boundary of zone A, AO, V1-30, VE, or V, the location of the boundary shall be determined by the map scale.

(e) *Removal of lands from floodplain.*

1. Compliance with the provisions of this ordinance shall not be grounds for removing land from the floodplain unless it is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to section 23.08 *Amendments*.
2. The delineation of any of the Floodplain Districts may be revised by the community where natural or man-made changes have occurred and/or where more detailed studies have been conducted. However, prior to any such change, approval must be obtained from the Wisconsin Department of Natural Resources and Federal Emergency Management Agency. A completed Letter of Map Revision is a record of this approval. The floodplain administrator shall not sign a community acknowledgement form unless all criteria set forth in the following paragraphs are met:
  - a. The land and/or land around the structure must be filled at least two feet above the regional or base flood elevation;
  - b. The fill must be contiguous to land outside the floodplain; Applicant shall obtain floodplain development permit before applying for a LOMR or LOMR-F;
3. Removal of lands from the floodplain may also occur by operation of §87.30(1)(e), Wis. Stats., if a property owner has obtained a letter of map amendment from the federal emergency management agency under 44 C.F.R. 70.

(f) *Compliance.*

1. No structure or use within areas regulated by this ordinance shall hereafter be located, erected, constructed, reconstructed, repaired, extended, converted, enlarged, or altered without full compliance with the terms of these regulations and all other applicable regulations that apply to uses within the jurisdiction of these regulations.
2. Failure to obtain a floodplain development permit shall be a violation of these regulations and shall be punishable in accordance with section 23.09 *Enforcement and Penalties*.
3. Floodplain development permits issued on the basis of plans and applications approved by the Floodplain Administrator authorize only the use, and arrangement, set forth in such approved plans and applications, or amendments thereto if approved by the Floodplain Administrator. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of these regulations and punishable in accordance with section 23.09 *Enforcement and Penalties*.

(g) *Municipalities and state agencies regulated.* Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this ordinance and obtain all necessary permits. State agencies are required to comply if s. 13.48(13), Wis. Stats., applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation is exempt when s. 30.2022, Wis. Stats., applies. Although exempt from a local zoning permit and permit fees, DOT must provide sufficient project documentation and analysis to ensure that the community is in compliance with Federal, State, and local floodplain standards. If a local transportation project is located within a Zone A floodplain and is not a WisDOT project under s. 30.2022, Wis. Stats., then the road project design documents (including appropriate detailed plans and profiles) may be sufficient to meet the requirements for issuance of a local floodplain permit if the following apply: The applicant provides documentation to the Floodplain Administrator that the proposed project is a culvert replacement or bridge replacement under 20-foot span at the same location, the project is exempt from a DNR permit under s. 30.123(6)(d), Wis. Stats., the capacity is not decreased, the top road grade is not raised, and no floodway data is available from a federal, state, or other source. If floodway data is available in the impacted area from a federal, state, or other source that existing data must be utilized by the applicant in the analysis of the project site.

(h) *Abrogation and greater restrictions.*

1. This ordinance supersedes all the provisions of any municipal zoning ordinance enacted under s. 62.23 for cities or s. 87.30, Wis. Stats., which relate to floodplains. A more restrictive ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.
  2. This ordinance is not intended to repeal, abrogate, or impair any existing deed restrictions, covenants, or easements. If this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.
- (i) *Interpretation.* In their interpretation and application, the provisions of this ordinance are the minimum requirements liberally construed in favor of the governing body and are not a limitation on or repeal of any other powers granted by the Wisconsin Statutes. If a provision of this ordinance, required by ch. NR 116, Wis. Adm. Code, is unclear, the provision shall be interpreted in light of the standards in effect on the date of the adoption of this ordinance or in effect on the date of the most recent text amendment to this ordinance.
- (j) *Warning and disclaimer of liability.* The flood protection standards in this ordinance are based on engineering experience and research. Larger floods may occur, or the flood height may be increased by man-made or natural causes. This ordinance does not imply or guarantee that non-floodplain areas or permitted floodplain uses will be free from flooding and flood damages. This ordinance does not create liability on the part of, or a cause of action against, the municipality or any officer or employee thereof for any flood damage that may result from reliance on this ordinance.
- (k) *Severability.* Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.
- (l) *Annexed areas.* The Door County floodplain zoning provisions in effect on the date of annexation shall remain in effect and shall be enforced by the City of Sturgeon Bay for all annexed areas until the City of Sturgeon Bay adopts and enforces an ordinance which meets the requirements of ch. NR 116, Wis. Adm. Code and 44 CFR 59-72, *National Flood Insurance Program* (NFIP). These annexed lands are described on the official zoning map. County floodplain zoning provisions are incorporated by reference for the purpose of administering this section and are on file in the Sturgeon Bay Community Development Department. All plats or maps of annexation shall show the regional flood elevation and the floodway location.

23.02 General Standards applicable to all floodplain districts.

- (1) The zoning administrator shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding and assure that all necessary permits have been received from those governmental agencies whose approval is required by federal or state law.*
- (2) Building sites.* If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall:
  - (a) be designed and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
  - (b) be constructed with flood-resistant materials;
  - (c) be constructed by methods and practices that minimize flood damages; and
  - (d) Mechanical and utility equipment must be elevated to or above the flood protection elevation.
- (3) Subdivisions/new developments.* If a subdivision or other proposed new development is in a flood-prone area, the following shall apply:
  - (a) such proposed subdivision or other proposed new development shall be consistent with the need to minimize flood damage within the flood-prone area;
  - (b) public utilities and facilities such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and
  - (c) adequate drainage shall be provided to reduce exposure to flood hazards.
  - (d) All subdivision proposals (including manufactured home parks) shall include regional flood elevation and floodway data and all other information required in subsection 23.07(1)(b).
- (4) Obstructions and increases of regional flood height.*
  - (a) No floodplain development shall:

1. Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, causing any increase in the regional flood height; or
2. Cause any increase in the regional flood height due to floodplain storage area lost.

(b) The zoning administrator shall deny permits if it is determined the proposed development will obstruct flow or cause any increase in the regional flood height, based on the officially adopted FIRM or other adopted map, unless the provisions of section 23.08 *Amendments* are met.

(5) *Watercourse alterations.* No land use permit to alter or relocate a watercourse in a mapped floodplain shall be issued until the zoning administrator has notified in writing all adjacent municipalities, the Department and FEMA regional offices, and required the applicant to secure all necessary state and federal permits. The standards of subsection 23.02(4) must be met and the flood carrying capacity of any altered or relocated watercourse shall be maintained. As soon as is practicable, but not later than six months after the date of the watercourse alteration or relocation and pursuant to section 23.08 *Amendments*, the community shall apply for a Letter of Map Revision (LOMR) from FEMA. Any such alterations must be reviewed and approved by FEMA and the DNR through the LOMC process.

(6) *Chapter 30, 31, Wis. Stats., development.* Development which requires a permit from the Department, under chs. 30 and 31, Wis. Stats., such as docks, piers, wharves, bridges, culverts, dams, and navigational aids, may be allowed if the necessary permits are obtained and amendments to the floodplain zoning ordinance are made according to section 23.08 *Amendments*.

(7) *Public or private campgrounds.* Public or private campgrounds shall have a low flood damage potential and shall meet the following provisions:

- (a) The campground is approved by the Department of Agriculture, Trade and Consumer Protection;
- (b) A land use permit for the campground is issued by the zoning administrator;
- (c) The character of the river system and the campground elevation are such that a 72-hour warning of an impending flood can be given to all campground occupants;
- (d) There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in



the campground. This procedure shall include a written agreement between the campground owner, the floodplain zoning agency or zoning administrator, the municipal emergency government coordinator and the chief law enforcement official which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used and the procedures for notifying at-risk parties, and the methods and personnel responsible for conducting the evacuation;

- (e) This agreement shall be for no more than one calendar year, at which time the agreement shall be reviewed and updated - by the officials identified in paragraph (d) - to remain in compliance with all applicable regulations, including those of the state Department of Agriculture, Trade and Consumer Protection and all other applicable regulations;
- (f) All mobile recreational vehicles placed on site must meet one of the following:
  - 1. Be fully licensed, if required, and ready for highway use as specified under subd. 4 below; or
  - 2. Not occupy any site in the campground for more than 180 consecutive days, at which time the recreational vehicle must be removed from the floodplain for a minimum of 24 hours; or
  - 3. Meet the requirements in either section 23.03, 23.04, 23.05(1), or 23.05(2) for the floodplain district in which the structure is located;
  - 4. A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.
- (g) All camping units that remain on site for more than 30 days shall be issued a limited authorization by the campground operator, a written copy of which is kept on file at the campground. Such authorization shall allow placement of a camping unit consistent with paragraph (f) above and shall ensure compliance with all the provisions of this section;
- (h) The City of Sturgeon Bay shall monitor the limited authorizations issued by the campground operator to assure compliance with the terms of this section;
- (i) The campground shall have signs clearly posted at all entrances warning of the flood hazard and the procedures for evacuation when a flood warning is issued; and

(j) All service facilities, including but not limited to refuse collection, electrical service, gas lines, propane tanks, sewage systems and wells shall be properly anchored and placed at or floodproofed to the flood protection elevation; and

(k) Standards for structures in a campground:

1. All structures must comply with subsection 23.02(7) or meet the applicable requirements in sections 23.03, 23.04, 23.05(1), or 23.05(2) for the floodplain district in which the structure is located;
2. Deck/landing-a portable landing may be allowed for a camping unit for each entry provided that the landing is not permanently attached to the ground or camping unit, is no more than 200 square feet in size, shall be portable, contain no walls or roof, and can be removed from the campground by a truck and/or trailer. Sections of such portable landings may be placed together to form a single deck not greater than 200 square feet at one entry point. Provisions for the removal of these temporary landings during flood events must be addressed within the written agreement under subsection (7)(d) above. Any such deck/landing structure may be constructed at elevations lower than the flood protection elevation but must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.
3. Decks/patios that are constructed completely at grade may be allowed but must also comply with applicable shoreland zoning standards.
4. Camping equipment and appurtenant equipment in the campground may be allowed provided that the equipment is not permanently attached to the ground or camping unit, is not used as a habitable structure, and must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood. Provisions for the removal of this equipment during flooding events shall be addressed within the written agreement under subsection (7)(d) above.
5. Once a flood warning in the written agreement has been issued for the campground, the campground owner or the designated operator shall ensure that all persons, camping units, decks, camping equipment and appurtenant equipment in the campground shall be evacuated within the timelines specified within the written agreement under subsection (7)(d) above.

- (l) A land use permit shall be obtained as provided under subsection 23.07(2)(b) before any development; repair, modification, or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated.

### 23.03 Floodway district (FW).

- (1) *Applicability.* This section applies to all floodway areas on the floodplain zoning maps and those identified pursuant to subsection 23.05(1)(e).
- (2) *Permitted uses.* The following open space uses are allowed in the Floodway District and the floodway areas of the General Floodplain District, if they are not prohibited by any other ordinance; they meet the standards in subsections 23.03(3) and (4); and all permits or certificates have been issued according to subsection 23.07(1).
  - (a) Agricultural uses, such as: farming, outdoor plant nurseries, horticulture, viticulture, and wild crop harvesting.
  - (b) Nonstructural industrial and commercial uses, such as loading areas, parking areas and airport landing strips.
  - (c) Nonstructural recreational uses, such as golf courses, tennis courts, archery ranges, picnic grounds, boat ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting, trap, and skeet activities, hunting and fishing areas and hiking and horseback riding trails, subject to the fill limitations of subsection 23.03(3)(d).
  - (d) Uses or structures accessory to open space uses or classified as historic structures that comply with subsections 23.03(3) and (4).
  - (e) Extraction of sand, gravel or other materials that comply with subsection 23.03(3)(d).
  - (f) Functionally water-dependent uses, such as docks, piers or wharves, dams, flowage areas, culverts, navigational aids and river crossings of transmission lines, and pipelines that comply with chs. 30 and 31, Wis. Stats.
  - (g) Public utilities, streets and bridges that comply with subsection 23.03(3)(c).
  - (h) Portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved

campgrounds that meet the applicable provisions of local ordinances and ch. SPS 383, Wis. Adm. Code.

- (i) Public or private wells used to obtain potable water for recreational areas that meet the requirements of local ordinances and chs. NR 811 and NR 812, Wis. Adm. Code.
- (j) Wastewater treatment ponds or facilities permitted under s. NR 110.15(3)(b), Wis. Adm. Code.
- (k) Sanitary sewer or water supply lines to service existing or proposed development located outside the floodway that complies with the regulations for the floodplain area occupied.

(3) *Standards for development in the floodway district.*

(a) *General.*

- 1. Any development in the floodway shall comply with section 23.02 *General standards applicable to all floodplain districts* and have a low flood damage potential.
- 2. Applicants shall provide an analysis calculating the effects of this proposal on the regional flood height to determine the effects of the proposal according to subsections 23.02(4) and 23.07(1)(b)3. The analysis must be completed by a registered professional engineer in the state of Wisconsin.
- 3. Any encroachment in the regulatory floodway is prohibited unless the data submitted for subd. (3)(a)2. above demonstrates that the encroachment will cause no increase in flood elevations in flood events up to the base flood at any location or removes the encroached area from the regulatory floodway as provided in subsection 23.01(5)(e).

(b) *Structures.* Structures accessory to permanent open space uses, including utility and sanitary facilities, or functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria:

- 1. Not designed for human habitation, does not have a high flood damage potential and is constructed to minimize flood damage;
- 2. Shall either have the lowest floor elevated to or above the flood protection elevation or shall meet all the following standards:

- a. Have the lowest floor elevated to or above the regional flood elevation and be dry floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water and completely dry to the flood protection elevation without human intervention during flooding;
  - b. Have structural components capable of meeting all provisions of subsection 23.03(3)(b)7. and;
  - c. Be certified by a registered professional engineer or architect, through the use of a Federal Emergency Management Agency Floodproofing Certificate, that the design and methods of construction are in accordance with subsection 23.03(3)(b)7.
3. Must be anchored to resist flotation, collapse, and lateral movement;
4. Mechanical and utility equipment must be elevated to or above the flood protection elevation; and
5. Must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.
6. For a structure designed to allow the automatic entry of floodwaters below the Regional Flood Elevation, the applicant shall submit a plan that meets subsections 23.03(3)(b)1. through 5. and meets or exceeds the following standards:
  - a. The lowest floor must be elevated to or above the regional flood elevation;
  - b. a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
  - c. the bottom of all openings shall be no higher than one foot above the lowest adjacent grade; openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters, otherwise must remain open.
  - d. The use must be limited to parking, building access or limited storage.

7. Certification: Whenever floodproofing measures are required, a registered professional engineer or architect shall certify that the following floodproofing measures will be utilized, where appropriate, and are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the regional flood:

- a. Reinforcement of floors and walls to resist rupture, collapse, or lateral movement caused by water pressures or debris buildup;
- b. Construction of wells, water supply systems and waste treatment systems so as to prevent the entrance of flood waters in such systems and must be in accordance with provisions in subsections 23.03(4)(d) and (e);
- c. Subsurface drainage systems to relieve external pressures on foundation walls and basement floors;
- d. Cutoff valves on sewer lines or the elimination of gravity flow basement drains; and
- e. Placement of utilities to or above the flood protection elevation.

(c) *Public utilities, streets, and bridges.* Public utilities, streets and bridges may be allowed by permit, if:

1. Adequate floodproofing measures are provided to the flood protection elevation; and
2. Construction meets the development standards of subsection 23.02(4).

(d) *Fills or deposition of materials.* Fills or deposition of materials may be allowed by permit, if:

1. The requirements of subsection 23.02(4) are met;
2. No material is deposited in navigable waters unless a permit is issued by the department pursuant to ch. 30, Wis. Stats., and a permit pursuant to s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344 has been issued, if applicable, and all other requirements have been met;

3. The fill or other materials will be protected against erosion by riprap, vegetative cover, sheet piling or bulkheading; and
4. The fill is not classified as a solid or hazardous material.

(4) *Prohibited uses.* All uses not listed as permitted uses in sub. (2) are prohibited, including the following uses:

- (a) Habitable structures, structures with high flood damage potential, or those not associated with permanent open-space uses;
- (b) Storing materials that are buoyant, flammable, explosive, injurious to property, water quality, or human, animal, plant, fish or other aquatic life;
- (c) Uses not in harmony with or detrimental to uses permitted in the adjoining districts;
- (d) Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved campgrounds that meet the applicable provisions of local ordinances and ch. SPS 383, Wis. Adm. Code;
- (e) Any public or private wells which are used to obtain potable water, except those for recreational areas that meet the requirements of local ordinances and chs. NR 811 and NR 812, Wis. Adm. Code;
- (f) Any solid or hazardous waste disposal sites;
- (g) Any wastewater treatment ponds or facilities, except those permitted under s. NR 110.15(3)(b), Wis. Adm. Code; and
- (h) Any sanitary sewer or water supply lines, except those to service existing or proposed development located outside the floodway which complies with the regulations for the floodplain area occupied.

#### 23.04 Floodfringe District (FF).

- (1) *Applicability.* This section applies to all floodfringe areas shown on the floodplain zoning maps and those identified pursuant to s. 23.05(1)(e).
- (2) *Permitted uses.* Any structure, land use, or development is allowed in the Floodfringe District if the standards in sub. (3) are met, the use is not prohibited by this, or any other ordinance or regulation and all permits or certificates specified in subsection 23.07(1) have been issued.



(3) *Standards for development in the floodfringe district.* Section 23.02 *General standards applicable to all floodplain districts* shall apply in addition to the following requirements according to the use requested. Any existing structure in the floodfringe must meet the requirements of section 23.06 *Nonconforming Uses*;

(a) *Residential uses.* Any structure, including a manufactured home, which is to be newly constructed or moved into the floodfringe, shall meet or exceed the following standards. Any existing structure in the floodfringe must meet the requirements of section 23.06 *Nonconforming Uses*;

1. All new construction, including placement of manufactured homes, and substantial improvement of residential structures, shall have the lowest floor elevated to or above the flood protection elevation on fill. The fill around the structure shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure. No area may be removed from the floodfringe district unless it can be shown to meet s. 23.01(5)(e).
2. Notwithstanding subparagraph 1, a basement or crawlspace floor may be placed at the regional flood elevation if the basement or crawlspace is designed to make all portions of the structure below the flood protection elevation watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. No floor of any kind is allowed below the regional flood elevation;
3. Contiguous dryland access shall be provided from a structure to land outside of the floodplain, except as provided in subparagraph 4 below.
4. In developments where existing street or sewer line elevations make compliance with subparagraph 3 above impractical, the municipality may permit new development and substantial improvements where roads are below the regional flood elevation, if:
  - a. The municipality has written assurance from police, fire and emergency services that rescue, and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or
  - b. The municipality has a DNR-approved emergency evacuation plan that follows acceptable hazard mitigation planning guidelines.

- (b) *Accessory structures or uses.* In addition to Section 23.02 *General standards applicable to all floodplain districts*, new construction and substantial improvements of accessory structures shall be constructed on fill with the lowest floor at or above the regional flood elevation.
- (c) *Commercial uses.* In addition to Section 23.02 *General standards applicable to all floodplain districts*, any commercial structure which is erected, altered, or moved into the floodfringe shall meet the requirements of subsection 23.04(3)(a). Subject to the requirements of subsection 23.04(3)(e), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.
- (d) *Manufacturing and industrial uses.* In addition to Section 23.02 *General standards applicable to all floodplain districts*, any manufacturing or industrial structure which is erected, altered, or moved into the floodfringe shall have the lowest floor elevated to or above the flood protection elevation or meet the floodproofing standards in subsection 23.07(5). Subject to the requirements of subsection 23.04(3)(e), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.
- (e) *Storage of materials.* Materials that are buoyant, flammable, explosive, or injurious to property, water quality or human, animal, plant, fish, or aquatic life shall be stored at or above the flood protection elevation or floodproofed in compliance with subsection 23.07(5). Adequate measures shall be taken to ensure that such materials will not enter the water body during flooding.
- (f) *Public utilities, streets and bridges.* All utilities, streets and bridges shall be designed to be compatible with comprehensive floodplain development plans; and
1. When failure of public utilities, streets and bridges would endanger public health or safety, or where such facilities are deemed essential, construction or repair of such facilities shall only be permitted if they are designed to comply with subsection 23.07(5).
  2. Minor roads or non-essential utilities may be constructed at lower elevations if they are designed to withstand flood forces to the regional flood elevation.

- (g) *Sewage systems.* All sewage disposal systems shall be designed to minimize or eliminate infiltration of flood water into the system, pursuant to subsection 23.07(5)(c), to the flood protection elevation and meet the provisions of all local ordinances and ch. SPS 383, Wis. Adm. Code.
- (h) *Wells.* All wells shall be designed to minimize or eliminate infiltration of flood waters into the system, pursuant to subsection 23.07(5)(c), to the flood protection elevation and shall meet the provisions of chs. NR 811 and NR 812, Wis. Adm. Code.
- (i) *Solid waste disposal sites.* Disposal of solid or hazardous waste is prohibited in floodfringe areas.
- (j) *Deposition of materials.* Any deposited material must meet all the provisions of this ordinance.
- (k) *Manufactured homes.*
  - 1. Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage, and prepare, secure approval, and file an evacuation plan, indicating vehicular access and escape routes, with local emergency management authorities.
  - 2. In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:
    - a. have the lowest floor elevated to the flood protection elevation; and
    - b. be anchored so they do not float, collapse, or move laterally during a flood
  - 3. Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement and substantially improved manufactured homes shall meet the residential development standards for the floodfringe in subsection 23.04(3)(a).
- (l) *Mobile recreational vehicles.* All mobile recreational vehicles must be on site for less than 180 consecutive days and be either:
  - 1. fully licensed and ready for highway use;

2. or shall meet the elevation and anchoring requirements in subsection 23.04(3)(k)2. and 3.

A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.

## 23.05 Other Floodplain Districts.

### (1) *General floodplain district (GFP).*

- (a) *Applicability.* The provisions for the General Floodplain District shall apply to development in all floodplains mapped as A, AO, AH, and in AE zones within which a floodway is not delineated on the Flood Insurance Rate Maps identified in subsection 23.01(5)(b)1.
- (b) *Floodway boundaries.* For proposed development in zone A, or in zone AE within which a floodway is not delineated on the Flood Insurance Rate Map identified in subsection 23.01(5)(b)1., the boundaries of the regulatory floodway shall be determined pursuant to subsection 23.05(1)(e). If the development is proposed to encroach upon the regulatory floodway, the development is subject to the standards of section 23.03. If the development is located entirely within the floodfringe, the development is subject to the standards of section 23.04.
- (c) *Permitted uses.* Pursuant to subsection 23.05(1)(e) it shall be determined whether the proposed use is located within the floodway or floodfringe. Those uses permitted in the Floodway [subsection 23.03(2)] and Floodfringe [subsection 23.04(2)] Districts are allowed within the General Floodplain District, according to the standards of subsection 23.05(1)(d) provided that all permits or certificates required under subsection 23.07(1) have been issued.
- (d) *Standards for development in the general floodplain district.* Section 23.03 applies to floodway areas, determined to pursuant to subsection 23.05(1)(e); Section 23.04 applies to floodfringe areas, determined to pursuant to subsection 23.05(1)(e).

1. New construction and substantial improvement of structures in zone AO shall have the lowest floor, including basement, elevated:

- a. To or above the depth, in feet, as shown on the FIRM above the highest adjacent natural grade; or
    - b. If the depth is not specified on the FIRM, two feet above the highest adjacent natural grade or higher.
  2. New Construction and substantial improvement of structures in zone AH shall have the lowest floor, including basement, elevated to or above the flood protection elevation.
  3. In AO/AH zones, provide adequate drainage paths to guide floodwaters around structures.
  4. All development in zones AO and zone AH shall meet the requirements of section 23.04 applicable to floodfringe areas.
- (e) *Determining floodway and floodfringe limits.* Upon receiving an application for development within zone A, or within zone AE where a floodway has not been delineated on the Flood Insurance Rate Maps, the zoning administrator shall:
1. Require the applicant to submit two copies of an aerial photograph or a plan which shows the proposed development with respect to the general floodplain district limits, stream channel, and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations and flood proofing measures and the flood zone as shown on the FIRM.
  2. Require the applicant to furnish any of the following information deemed necessary by the Department to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation and to determine floodway boundaries.
    - a. A Hydrologic and Hydraulic Study as specified in subsection 23.07(1)(b)3.
    - b. Plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location, and layout of all proposed and existing structures

on the site; location and elevations of streets, water supply, and sanitary facilities; soil types and other pertinent information.

- c. Specifications for building construction and materials, floodproofing, filling, dredging, channel improvement, storage, water supply and sanitary facilities.

(2) *Coastal floodplain district (CFD).*

(a) *Applicability.* The provisions of this section apply to all Coastal Floodplain Districts (CFD) shown on the floodplain zoning maps, which includes zones V, V1-30, and VE. Where a floodway shown on the floodplain zoning maps, or a floodway determined as explained in section 23.01(5)(c)4. or a regulatory floodway identified pursuant to subsection 23.05(1)(e), extends into a Coastal Floodplain District, development shall comply with the standards of section 23.03 and subsection 23.05(2).

(b) *Standards for development in the coastal floodplain district.* Development in the CFD district shall meet the requirements of section 23.02, as well as the following:

1. New construction shall be located landward of the Ordinary High-Water Mark.
2. Bulkheads, seawalls, revetments, and other erosion control measures shall not be connected to the foundation or superstructure of a building and shall be designed and constructed so as not to direct floodwaters or increase flood forces or erosion impacts on the foundation or superstructure of any building.
3. Man-made alterations of sand dunes are prohibited unless an engineering report documents that the alterations will not increase potential flood damage by reducing the wave and flow dissipation characteristics of the sand dunes.
4. The use of fill for structural support of buildings is prohibited.

- a. Non-structural fill shall be permitted only if an engineering report demonstrates that the fill will not cause runup, ramping, or deflection of floodwaters that cause damage to buildings.
- 5. New construction and substantial improvement of buildings shall be elevated, consistent with SPS 321.34, Wis. Adm. Code, on pilings or columns so that the bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the FPE.
  - a. The pile or column foundation and structure attached thereto shall be anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values shall be those associated with the base flood. Wind loading values shall be those defined according to American Society of Civil Engineers 7-16 *Minimum design loads and associated criteria for buildings and other structures*, or other equivalent standard.
  - b. A registered professional engineer or architect shall develop or review the structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of subsection 23.05(2)(b)5.
- 6. New construction and substantial improvement of buildings shall have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood latticework, or insect screening intended to collapse without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system.
  - a. For the purpose of section 23.05(2)(b)6., a breakaway wall shall have a design safe loading resistance of not less than 10 and not more than 20 pounds per square foot.
  - b. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or where so required by local or state codes) may be permitted only if a registered professional engineer or



architect certifies that the designs proposed meet all of the following conditions:

- 1) Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and
  - 2) The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non-structural). Water loading values shall be those associated with the base flood. Wind loading values shall be those defined according to American Society of Civil Engineers 7-16 *Minimum design loads and associated criteria for buildings and other structures*, or equivalent standard.
- c. All space enclosed by breakaway walls, open wood latticework, or insect screening below the lowest floor shall be used solely for parking, building access, or storage.

7. Require within flood-prone areas:

- a. New and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems; and
- b. New and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and onsite waste disposal systems to be located to avoid impairment to them or contamination from them during flooding.

8. All mobile recreation vehicles must be on site for less than 180 consecutive days and be either:

- a. fully licensed and ready for highway use; or

- b. shall meet the standards of sections 23.05(2)(b)1. through 23.05(2)(b)7. inclusive.

A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices and has no permanently attached additions.

- 9. Manufactured homes placed or substantially improved within the Coastal Floodplain District shall meet the standards of sections 23.05(2)(b)1. through 23.05(2)(b)7. inclusive.

## 23.06 Nonconforming uses.

### (1) *General.*

#### *(a) Applicability.*

- 1. The standards in this section shall apply to all uses and buildings that do not conform to the provisions contained within a floodplain zoning ordinance or with section 87.30, Wis. Stats., and sections NR 116.12-14, Wis. Adm. Code, and 44 CFR 59-72. These standards shall apply to all modifications or additions to any nonconforming use or structure and to the use of any structure or premises which was lawful before the passage of this ordinance or any amendment thereto. A party asserting existence of a lawfully established nonconforming use or structure has the burden of proving that the use or structure was compliant with the floodplain zoning ordinance in effect at the time the use or structure was created.
  - 2. As permit applications are received for additions, modifications, or substantial improvements to nonconforming buildings in the floodplain, municipalities shall develop a list of those nonconforming buildings, their present equalized assessed value, and a list of the costs of those activities associated with changes to those buildings.
- (b) The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this ordinance may continue subject to the following conditions:

1. No modifications or additions to a nonconforming use or structure shall be permitted unless they comply with this ordinance. The words "modification" and "addition" include, but are not limited to, any alteration, addition, modification, structural repair, rebuilding or replacement of any such existing use, structure or accessory structure or use. Maintenance is not considered a modification; this includes painting, decorating, paneling and other nonstructural components and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities. Any costs associated with the repair of a damaged structure are not considered maintenance.

The construction of a deck that does not exceed 200 square feet and that is adjacent to the exterior wall of a principal structure is not an extension, modification, or addition. The roof of the structure may extend over a portion of the deck in order to provide safe ingress and egress to the principal structure.

2. If a nonconforming use or the use of a nonconforming structure is discontinued for 12 consecutive months, it is no longer permitted and any future use of the property, and any structure or building thereon, shall conform to the applicable requirements of this ordinance;
3. The municipality shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed value, the cost of all modifications or additions which have been permitted, and the percentage of the structure's total current value those modifications represent;
4. No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with subsection 23.04(3)(a). The costs of elevating the lowest floor of a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50% provisions of this paragraph;

5. No maintenance on a per event basis to any nonconforming structure or any structure with a nonconforming use, the cost of which would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with subsection 23.04(3)(a). Maintenance to any nonconforming structure, which does not exceed 50% of its present equalized assessed value on a per event basis, does not count against the cumulative calculations over the life of the structure for substantial improvement calculations.
6. If on a per event basis the total value of the work being done under subd. 4. and 5. above equals or exceeds 50% of the present equalized assessed value, the work shall not be permitted unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with subsection 23.04(3)(a).
7. Except as provided in subd. 8. below, if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, reconstructed, or rebuilt unless the use and the structure meet the current ordinance requirements. A structure is considered substantially damaged if the total cost to restore the structure to its pre-damaged condition equals or exceeds 50% of the structure's present equalized assessed value.
8. For nonconforming buildings that are substantially damaged or destroyed by a nonflood disaster, the repair or reconstruction of any such nonconforming building shall be permitted in order to restore it to the size and use in effect prior to the damage event, provided that the following minimum requirements are met, and all required permits have been granted prior to the start of construction:
  - a. Residential Structures
    - 1) Shall have the lowest floor, including basement, elevated to or above the base flood elevation using

fill, pilings, columns, posts, or perimeter walls. Perimeter walls must meet the requirements of subsection 23.07(5)(b).

- 2) Shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, and shall be constructed with methods and materials resistant to flood damage.
- 3) Shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
- 4) In A Zones, obtain, review, and utilize any flood data available from a federal, state or other source.
- 5) In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in subsection 23.05(1)(d).
- 6) in AO Zones, shall have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.

b. Nonresidential Structures

- 1) Shall meet the requirements under subsection 23.06(1)(b)8.a.
- 2) Shall either have the lowest floor, including basement, elevated to or above the regional flood elevation; or, together with attendant utility and sanitary facilities, shall meet the standards in subsections 23.07(5)(a) or (b).

- 3) In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in subsection 23.05(1)(d).

(c) A nonconforming historic structure may be altered if the alteration will not preclude the structure's continued designation as a historic structure, the alteration will comply with s. 23.03(3)(a), flood resistant materials are used, and construction practices and floodproofing methods that comply with subsection 23.07(5) are used. Repair or rehabilitation of historic structures shall be exempt from the development standards of subsection 23.06(1)(b)8.a. if it is determined that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure.

(d) Notwithstanding anything in this chapter to the contrary, modifications, additions, maintenance, and repairs to a nonconforming building shall not be prohibited based on cost and the building's nonconforming use shall be permitted to continue if:

1. Any living quarters in the nonconforming building are elevated to be at or above the flood protection elevation;
2. The lowest floor of the nonconforming building, including the basement, is elevated to or above the regional flood elevation;
3. The nonconforming building is permanently changed to conform to the applicable requirements of section 23.02;
4. If the nonconforming building is in the floodway, the building is permanently changed to conform to the applicable requirements of sections 23.03(3)(a), 23.03(3)(b)2 through 5, 23.03(3)(c), 23.03(3)(d), and 23.06(2). Any development that adds additional fill or creates an encroachment in the floodplain from beyond the original nonconforming structure's 3-D building envelope must determine the floodway in accordance with section 23.05(1)(e). If the encroachment is in the floodway, it must meet the standards in section 23.03(3)(d);
5. If the nonconforming building is in the floodfringe, the building is permanently changed to conform to the applicable requirements of sections 23.04(3) and 23.06(3);

6. Repair or reconstruction of nonconforming structures and substantial improvements of residential buildings in zones A1-30, AE, and AH must have the lowest floor (including basement) elevated to or above the base flood elevation;
7. Repair or reconstruction of nonconforming structures and substantial improvements of non-residential buildings in zones A1-30, AE, and AH must have the lowest floor (including basement) elevated to or above the base flood elevation, or (together with attendant utility and sanitary facilities) be designed so that below the base flood elevation the building is watertight with walls substantially impermeable to the passage of water and with structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy:
  - a. Where a non-residential structure is intended to be made watertight below the base flood elevation, a registered professional engineer or architect must develop and/or review structural design, specifications, and plans for the construction, and must certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this subsection 7.
  - b. The community must maintain a record of such certification including the specific elevation to which each such structure is floodproofed;
8. Fully enclosed areas below the lowest floor of repair or reconstruction of nonconforming structures and substantial improvements in zones A1-30, AE, and AH that are usable solely for parking of vehicles, building access, or storage, must be designed to adequately equalize hydrostatic forces on exterior walls by allowing for the entry and exit of floodwaters. Subsequent improvements to repaired or reconstructed nonconforming structures must not increase the degree of their nonconformity. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet the following criteria:
  - a. A minimum of two openings into each enclosed area must be located below the base flood elevation and provide



a total net area of not less than one square inch for every square foot of enclosed area.

b. The bottom of all openings must be no higher than one foot above the adjacent grade.

c. Openings may be equipped with screens, louvers, valves, or other coverings if they permit the automatic entry and exit of floodwaters;

9. Manufactured homes that are placed or substantially improved within zones A1-30, AE, and AH outside of a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or in an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as a result of flood, must be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement;

10. Manufactured homes that are placed or substantially improved within zones A1-30, AE, and AH on existing sites in an existing manufactured home park that is not undergoing expansion and on which a manufactured home has not incurred substantial damage as a result of flood must be elevated so that either the lowest floor of the manufactured home is at or above the base flood elevation, or the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement;

11. Recreational vehicles placed on sites within zones A1-30, AH, and AE must either:

a. Be on site for fewer than 180 consecutive days; or

b. Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its

wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions); or

- c. Meet the elevation and anchoring requirements for manufactured homes in subsection 23.06(1)(d)9. above;

12. In a regulatory floodway that has been delineated on the FIRM in zone A1-30 or AE, encroachments, including repair or reconstruction of nonconforming structures, substantial improvement, or other development (including fill) must be prohibited unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment will not result in any increase in flood levels within the community during the occurrence of the base flood discharge. Subsequent improvements to repair or reconstructed nonconforming structures must not increase the degree of their nonconformity;

13. In zone A, the community must obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source as criteria for requiring repair or reconstruction of nonconforming structures, substantial improvement, and other development to meet subsections 23.06(1)(d)6. through 12. (inclusive) above. Any development that adds additional fill or creates an encroachment in the floodplain from beyond the original nonconforming structure's 3-D building envelope must determine the floodway in accordance with subsection 23.05(1)(e). If the encroachment is in the floodway, it must meet the standards in subsection 23.03(3)(d). Subsequent improvements to repair or reconstructed nonconforming structures must not increase the degree of their nonconformity;

14. In zones A1-30 or AE where a regulatory floodway has not been delineated on the FIRM, repair or reconstruction of nonconforming structures, substantial improvement, or any development that adds additional fill or creates an encroachment in the floodplain from beyond the original nonconforming structure's 3-D building envelope must determine the floodway in accordance with subsection 23.05(1)(e). If the encroachment is in the floodway, it must meet the standards in subsection 23.03(3)(d). Subsequent improvements to repair or reconstructed

nonconforming structures must not increase the degree of their nonconformity;

15. In zone AO, repair or reconstruction of nonconforming structures and substantial improvements of residential structures must have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM (at least two feet if no depth number is specified). Subsequent improvements to repair or reconstructed nonconforming structures must not increase the degree of their nonconformity; or

16. In zone AO, repair or reconstruction of nonconforming structures and substantial improvements of nonresidential structures must have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM (at least two feet if no depth number is specified), or (together with attendant utility and sanitary facilities) be structurally dry-floodproofed to that level according to the standard specified in subsection 23.06(1)(d)7. above. Subsequent improvements to repair or reconstructed nonconforming structures must not increase the degree of their nonconformity.

*(2) Floodway district.*

(a) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in the Floodway District, unless such modification or addition:

1. Has been granted a permit or variance which meets all ordinance requirements;
2. Meets the requirements of section 23.06(1);
3. Shall not increase the obstruction to flood flows or regional flood height;
4. Any addition to the existing structure shall be floodproofed, pursuant to subsection 23.07(5), by means other than the use of fill, to the flood protection elevation; and,

5. If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:

- a. The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
- b. The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
- c. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
- d. The use must be limited to parking, building access or limited storage.

(b) No new on-site sewage disposal system, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a floodway area shall meet the applicable requirements of all municipal ordinances, subsection 23.07(5)(c) and Ch. SPS 383, Wis. Adm. Code.

(c) No new well or modification to an existing well used to obtain potable water shall be allowed in the Floodway District. Any replacement, repair, or maintenance of an existing well in the Floodway District shall meet the applicable requirements of all municipal ordinances, subsection 23.07(5)(c) and chs. NR 811 and NR 812, Wis. Adm. Code.

*(3) Floodfinge district.*

(a) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless such modification or addition has been granted a permit or variance by the municipality and meets the requirements of subsection 23.04(3) except where subsection 23.06(3)(b) is applicable.

(b) Where compliance with the provisions of paragraph (a) would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the Board of Adjustment/Appeals, using the procedures established in subsection 23.07(3), may grant a variance from those provisions of paragraph (a) for modifications or additions using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if:

1. No floor is allowed below the regional flood elevation for residential or commercial structures;
2. Human lives are not endangered;
3. Public facilities, such as water or sewer, shall not be installed;
4. Flood depths shall not exceed two feet;
5. Flood velocities shall not exceed two feet per second; and
6. The structure shall not be used for storage of materials as described in subsection 23.04(3)(e).

(c) All new private sewage disposal systems, or addition to, replacement, repair or maintenance of a private sewage disposal system shall meet all the applicable provisions of all local ordinances, subsection 23.07(5)(c) and ch. SPS 383, Wis. Adm. Code.

(d) All new wells, or addition to, replacement, repair, or maintenance of a well shall meet the applicable provisions of this ordinance, subsection 23.07(5)(c) and ch. NR 811 and NR 812, Wis. Adm. Code.

*(4) Coastal floodplain district (CFD).*

(a) New construction and substantial improvement shall meet the standards of subsection 23.05(3).

(b) No structural repairs, modifications or additions to an existing building, the cost of which exceeds, over the life of the existing building, 50% of

its present equalized assessed value, may be allowed in a coastal floodplain area unless the entire building is permanently changed to conform with the standards prescribed in subsection 23.05(3).

## 23.07 Administration

*Where a zoning administrator, planning agency or a board of appeals has already been appointed to administer a zoning ordinance adopted under ss. 59.69, 59.692 or 62.23(7), Wis. Stats., these officials shall also administer this ordinance.*

### *(1) Zoning administrator.*

(a) *Duties and powers.* The zoning administrator is authorized to administer this ordinance and shall have the following duties and powers:

1. Advise applicants of the ordinance provisions, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications.
2. Issue permits and inspect properties for compliance with provisions of this ordinance and issue certificates of compliance where appropriate
3. Inspect and assess all damaged floodplain structures to determine if substantial damage to the structures has occurred.
4. Keep records of all official actions such as:
  - a. All permits issued, inspections made, and work approved;
  - b. Documentation of certified lowest floor and regional flood elevations;
  - c. Floodproofing certificates.
  - d. Water surface profiles, floodplain zoning maps and ordinances, nonconforming uses and structures including changes, appeals, variances and amendments.
  - e. All substantial damage assessment reports for floodplain structures.
  - f. List of nonconforming structures and uses.

- g. In the Coastal Floodplain District, documentation of the certified elevation of the bottom of the lowest horizontal structural member of new construction and substantial improvements.
  - h. In the Coastal Floodplain District, certification by a licensed professional engineer or architect where required for new construction and substantial improvement under subsection 23.05(3).
- 5. Submit copies of the following items to the Department Regional office:
  - a. Within 10 days of the decision, a copy of any decisions on variances, appeals for map or text interpretations, and map or text amendments;
  - b. Copies of case-by-case analyses and other required information.
  - c. Copies of substantial damage assessments performed and all related correspondence concerning the assessments.
- 6. Investigate, prepare reports, and report violations of this ordinance to the municipal zoning agency and attorney for prosecution. Copies of the reports shall also be sent to the Department Regional office.
- 7. Submit copies of amendments to the FEMA Regional office.

(b) *Land use permit.* A land use permit shall be obtained before any development; repair, modification, or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated. Application to the zoning administrator shall include:

1. *General information.*

- a. Name and address of the applicant, property owner and contractor;
- b. Legal description, proposed use, and whether it is new construction or a modification;



2. *Site development plan.* A site plan drawn to scale shall be submitted with the permit application form and shall contain:

- a. Location, dimensions, area and elevation of the lot;
- b. Location of the ordinary highwater mark of any abutting navigable waterways;
- c. Location of any structures with distances measured from the lot lines and street center lines;
- d. Location of any existing or proposed on-site sewage systems or private water supply systems;
- e. Location and elevation of existing or future access roads;
- f. Location of floodplain and floodway limits as determined from the official floodplain zoning maps;
- g. The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study – either National Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD);
- h. Data sufficient to determine the regional flood elevation in NGVD or NAVD at the location of the development and to determine whether or not the requirements of section 23.03 or 23.04 are met; and
- i. Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to subsection 23.02(1). This may include any of the information noted in subsection 23.03(3)(a).

3. *Hydraulic and hydrologic studies to analyze development.* All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the

State. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the Department.

a. *Zone A floodplains and in AE zones within which a floodway is not delineated.*

1) *Hydrology.* The appropriate method shall be based on the standards in ch. NR 116.07(3), Wis. Admin. Code, *Hydrologic Analysis: Determination of Regional Flood Discharge.*

2) *Hydraulic modeling.* The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:

- i. determination of the required limits of the hydraulic model shall be based on detailed study information for downstream structures (dam, bridge, culvert) to determine adequate starting WSEL for the study.
- ii. channel sections must be surveyed.
- iii. minimum four-foot contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.
- iv. a maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope including a survey of the channel at each location.
- v. the most current version of HEC-RAS shall be used.

- vi. a survey of bridge and culvert openings and the top of road is required at each structure.
  - vii. additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.
  - viii. standard accepted engineering practices shall be used when assigning parameters for the base model such as flow, Manning's N values, expansion and contraction coefficients or effective flow limits. The base model shall be calibrated to past flooding data such as high-water marks to determine the reasonableness of the model results. If no historical data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.
  - ix. the model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.
- 3) *Mapping.* A work map of the reach studied shall be provided, showing all cross-section locations, floodway/floodplain limits based on best available topographic data, geographic limits of the proposed development and whether the proposed development is located in the floodway.
- i. If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.

- ii. If any part of the proposed development is in the floodway, it must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided.

b. *Zone AE Floodplains.*

1) *Hydrology.* If the proposed hydrology will change the existing study, the appropriate method to be used shall be based on ch. NR 116.07(3), Wis. Admin. Code, *Hydrologic Analysis: Determination of Regional Flood Discharge*.

2) *Hydraulic model.* The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:

- i. *Duplicate Effective Model.* The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If data from the effective model is available, models shall be generated that duplicate the FIS profiles and the elevations shown in the Floodway Data Table in the FIS report to within 0.1 foot.
- ii. *Corrected Effective Model.* The Corrected Effective Model shall not include any man-made physical changes since the effective model date but shall import the model into the most current version of HEC-RAS for Department review.

- iii. *Existing (Pre-Project Conditions) Model.*  
The Existing Model shall be required to support conclusions about the actual impacts of the project associated with the Revised (Post-Project) Model or to establish more up-to-date models on which to base the Revised (Post-Project) Model.
- iv. *Revised (Post-Project Conditions) Model.*  
The Revised (Post-Project Conditions) Model shall incorporate the Existing Model and any proposed changes to the topography caused by the proposed development. This model shall reflect proposed conditions.
- v. All changes to the Duplicate Effective Model and subsequent models must be supported by certified topographic information, bridge plans, construction plans and survey notes.
- vi. Changes to the hydraulic models shall be limited to the stream reach for which the revision is being requested. Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface elevations and top widths computed by the revised models matching those in the effective models upstream and downstream of the revised reach as required. The Effective Model shall not be truncated.

3) *Mapping.* Maps and associated engineering data shall be submitted to the Department for review which meet the following conditions:

- i. Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles, topographic work map, annotated FIRMs and/or Flood Boundary Floodway Maps (FBFMs), construction plans, bridge plans.

- ii. Certified topographic map of suitable scale, contour interval, and a planimetric map showing the applicable items. If a digital version of the map is available, it may be submitted in order that the FIRM may be more easily revised.
- iii. Annotated FIRM panel showing the revised 1% and 0.2% annual chance floodplains and floodway boundaries.
- iv. If an annotated FIRM and/or FBFM and digital mapping data (GIS or CADD) are used, then all supporting documentation or metadata must be included with the data submission along with the Universal Transverse Mercator (UTM) projection and State Plane Coordinate System in accordance with FEMA mapping specifications.
- v. The revised floodplain boundaries shall tie into the effective floodplain boundaries.
- vi. All cross sections from the effective model shall be labeled in accordance with the effective map and a cross section lookup table shall be included to relate to the model input numbering scheme.
- vii. Both the current and proposed floodways shall be shown on the map.
- viii. The stream centerline, or profile baseline used to measure stream distances in the model shall be visible on the map.

4. *Expiration.* All permits issued under the authority of this ordinance shall expire no more than 180 days after issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause. If the permitted work has not started within 180

days of the permit date, the development must comply with any regulation, including any revision to the FIRM or FIS, that took effect after the permit date.

(c) *Certificate of compliance.* No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt, or replaced shall be occupied until a certificate of compliance is issued by the zoning administrator, except where no permit is required, subject to the following provisions:

1. The certificate of compliance shall show that the building or premises or part thereof, and the proposed use, conform to the provisions of this ordinance;
2. Application for such certificate shall be concurrent with the application for a permit;
3. If all ordinance provisions are met, the certificate of compliance shall be issued within 10 days after written notification that the permitted work is completed;
4. The applicant shall submit a certification signed by a registered professional engineer, architect, or land surveyor that the fill, lowest floor and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a registered professional engineer or architect that the requirements of subsection 23.07(5) are met.
5. Where applicable pursuant to subsection 23.05(1)(d), the applicant must submit a certification by a registered professional engineer or surveyor of the elevation of the bottom of the lowest horizontal structural member supporting the lowest floor (excluding pilings or columns), and an indication of whether the structure contains a basement.
6. Where applicable pursuant to subsection 23.05(1)(d), the applicant must submit certifications by a registered professional engineer or architect that the structural design and methods of construction meet accepted standards of practice as required by subsection 23.05(1)(d).



- (d) *Other permits.* Prior to obtaining a floodplain development permit the applicant must secure all necessary permits from federal, state, and local agencies, including but not limited to those required by the U.S. Army Corps of Engineers under s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344.

(2) *Plan commission.*

(a) The city plan commission shall:

1. oversee the functions of the office of the zoning administrator; and
2. review and advise the governing body on all proposed amendments to this ordinance, maps, and text.
3. publish adequate notice pursuant to Ch. 985, Wis. Stats., specifying the date, time, place, and subject of the public hearing.

(b) The city plan commission shall not:

1. grant variances to the terms of the ordinance in place of action by the board of appeals; or
2. amend the text or zoning maps in place of official action by the governing body.

- (3) Board of appeals. The board of appeals, created under s. 62.23(7)(e), Wis. Stats., is hereby authorized or shall be appointed to act for the purposes of this ordinance. The board shall exercise the powers conferred by Wisconsin Statutes and adopt rules for the conduct of business. The zoning administrator shall not be the secretary of the board.

(a) *Powers and duties.* The board of appeals shall:

1. *Appeals.* Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement or administration of this ordinance;

2. *Boundary Disputes.* Hear and decide disputes concerning the district boundaries shown on the official floodplain zoning map; and
3. *Variances.* Hear and decide, upon appeal, variances from the ordinance standards.

*(b) Appeals to the board.*

1. Appeals to the board may be taken by any person aggrieved, or by any officer or department of the municipality affected by any decision of the zoning administrator or other administrative officer. Such appeal shall be taken within 30 days unless otherwise provided by the rules of the board, by filing with the official whose decision is in question, and with the board, a notice of appeal specifying the reasons for the appeal. The official whose decision is in question shall transmit to the board all records regarding the matter appealed.

2. Notice and hearing for appeals including variances.

- a. *Notice.* The board shall:

- i. Fix a reasonable time for the hearing;
- ii. Publish adequate notice pursuant to Wisconsin Statutes, specifying the date, time, place, and subject of the hearing; and
- iii. Assure that notice shall be mailed to the parties in interest and the Department Regional office at least 10 days in advance of the hearing.

- b. *Hearing.* Any party may appear in person or by agent. The board shall:

- i. Resolve boundary disputes according to subsection 23.07(3)(c);

- ii. Decide variance applications according to subsection 23.07(3)(d); and
- iii. Decide appeals of permit denials according to subsection 23.07(4).

3. *Decision.* The final decision regarding the appeal or variance application shall:

- a. Be made within a reasonable time;
- b. Be sent to the Department Regional office within 10 days of the decision;
- c. Be a written determination signed by the chairman or secretary of the Board;
- d. State the specific facts which are the basis for the Board's decision;
- e. Either affirm, reverse, vary or modify the order, requirement, decision, or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or grant or deny the variance application; and
- f. Include the reasons for granting an appeal, describing the hardship demonstrated by the applicant in the case of a variance, clearly stated in the recorded minutes of the Board proceedings.

(c) *Boundary disputes.* The following procedure shall be used by the Board in hearing disputes concerning floodplain district boundaries:

- 1. If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary.
- 2. The person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the Board; and

3. If the boundary is incorrectly mapped, the Board should inform the zoning committee or the person contesting the boundary location to petition the governing body for a map amendment according to s. 8.0 *Amendments*.

*(d) Variance.*

1. The Board may, upon appeal, grant a variance from the standards of this ordinance if an applicant convincingly demonstrates that:
  - a. Literal enforcement of the ordinance will cause unnecessary hardship;
  - b. The hardship is due to adoption of the floodplain ordinance and unique property conditions, not common to adjacent lots or premises. In such case the ordinance or map must be amended;
  - c. The variance is not contrary to the public interest; and
  - d. The variance is consistent with the purpose of this ordinance in subsection 23.01(3).
2. In addition to the criteria in subparagraph 1., to qualify for a variance under FEMA regulations, the Board must find that the following criteria have been met:
  - a. The variance shall not cause any increase in the regional flood elevation;
  - b. The applicant has shown good and sufficient cause for issuance of the variance;
  - c. Failure to grant the variance would result in exceptional hardship;
  - d. Granting the variance will not result in additional threats to public safety, extraordinary expense, create a

nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances;

- e. The variance granted is the minimum necessary, considering the flood hazard, to afford relief.

3. A variance shall not:

- a. Grant, extend or increase any use prohibited in the zoning district;
- b. Be granted for a hardship based solely on an economic gain or loss;
- c. Be granted for a hardship which is self-created.
- d. Damage the rights or property values of other persons in the area;
- e. Allow actions without the amendments to this ordinance or map(s) required in section 23.08 *Amendments*; and
- f. Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.

- 4. When a floodplain variance is granted, the board shall notify the applicant in writing that it may increase risks to life and property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage. A copy shall be maintained with the variance record.

*(4) To review appeals of permit denials.*

- (a) The board of appeals shall review all data related to the appeal. This may include:

- 1. Permit application data listed in subsection 23.07(1)(b);

2. Floodway/floodfringe determination data in subsection 23.05(1)(e);
3. Data listed in subsection 23.03(3)(a)2. where the applicant has not submitted this information to the zoning administrator; and
4. Other data submitted with the application or submitted to the board with the appeal.

(b) For appeals of all denied permits the board shall:

1. Follow the procedures of subsection 23.07(3);
2. Consider any plan commission recommendations; and
3. Either uphold the denial or grant the appeal.

(c) For appeals concerning increases in regional flood elevation the Board shall:

1. Uphold the denial where the board agrees with the data showing an increase in flood elevation. Increases may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners as per the requirements of section 23.08 *Amendments*; and
2. Grant the appeal where the board agrees that the data properly demonstrates that the project does not cause an increase provided no other reasons for denial exist.

*(5) Floodproofing standards.*

- (a) No permit or variance shall be issued for a non-residential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to or above the flood protection elevation and submits a FEMA Floodproofing Certificate. Floodproofing is not an alternative to

the development standards in sections 23.02, 23.03, 23.04, 23.05(1), or 23.05(3).

(b) For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan either:

1. certified by a registered professional engineer or architect; or
2. meeting or exceeding the following standards:
  - a. a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
  - b. the bottom of all openings shall be no higher than one foot above grade; and
  - c. openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(c) Floodproofing measures shall be designed, as appropriate, to:

1. Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;
2. Protect structures to the flood protection elevation;
3. Anchor structures to foundations to resist flotation and lateral movement;
4. Minimize or eliminate infiltration of flood waters;
5. Minimize or eliminate discharges into flood waters;
6. Placement of essential utilities to or above the flood protection elevation; and



7. If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:

- a. The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
- b. The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
- c. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
- d. The use must be limited to parking, building access or limited storage.

*(6) Public information.*

- (a) Where useful, marks on bridges or buildings or other markers may be set to show the depth of inundation during the regional flood at appropriate locations within the floodplain.
- (b) All available information in the form of maps, engineering data and regulations shall be readily available and should be widely distributed.
- (c) All legal descriptions of property in the floodplain should include information relative to the floodplain zoning classification when such property is transferred.

23.08 Amendments

(1) *General.* Obstructions or increases may only be permitted if amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with subsection 23.08(1).

- (a) In AE Zones with a mapped floodway, no obstructions or increases shall be permitted unless the applicant receives a Conditional Letter of Map

Revision from FEMA and amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with subsection 23.08(1). Any such alterations must be reviewed and approved by FEMA and the DNR.

- (b) In A Zones increases equal to or greater than 1.0 foot may only be permitted if the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain maps, floodway lines, and water surface profiles, in accordance with subsection 23.08(1).

(2) *Actions and circumstances requiring amendments.* The common council shall change or supplement the floodplain zoning district boundaries and this ordinance in the manner outlined in subsection 23.08(3) below. Actions which require an amendment to the ordinance and/or submittal of a Letter of Map Change (LOMC) include, but are not limited to, the following:

- (a) Any fill or floodway encroachment that obstructs flow causing any increase in the regional flood height;
- (b) Any change to the floodplain boundaries and/or watercourse alterations on the FIRM;
- (c) Any changes to any other officially adopted floodplain maps listed in subsection 23.01(5)(b)2.;
- (d) Any floodplain fill which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain;
- (e) Correction of discrepancies between the water surface profiles and floodplain maps;
- (f) Any upgrade to a floodplain zoning ordinance text required by s. NR 116.05, Wis. Adm. Code, or otherwise required by law, or for changes by the municipality; and
- (g) All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or the floodfringe that is based on a base flood elevation from a FIRM requires prior approval by FEMA.

(3) *Procedures.* Ordinance amendments may be made upon petition of any party according to the provisions of s. 62.23, Wis. Stats. The petitions shall include all data required by subsection 23.05(1)(e) and 23.07(1)(b). The land use permit shall not be issued until a Letter of Map Revision is issued by FEMA for the proposed changes.

- (a) The proposed amendment shall be referred to the zoning agency for a public hearing and recommendation to the governing body. The amendment and notice of public hearing shall be submitted to the Department Regional office for review prior to the hearing. The amendment procedure shall comply with the provisions of s. 62.23, Stats., for cities and villages.
- (b) No amendments shall become effective until reviewed and approved by the Department.
- (c) All persons petitioning for a map amendment that obstructs flow causing any increase in the regional flood height, shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the governing body.

#### 23.09 Enforcement and Penalties.

*Any violation of the provisions of this ordinance by any person shall be unlawful and shall be referred to the municipal attorney who shall expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the municipality a penalty of not more than \$50.00 (fifty dollars), together with a taxable cost of such action. Each day of continued violation shall constitute a separate offense. Every violation of this ordinance is a public nuisance, and the creation may be enjoined, and the maintenance may be abated by action at suit of the municipality, the state, or any citizen thereof pursuant to s. 87.30, Wis. Stats.*

#### 23.10 Definitions

*Unless specifically defined, words and phrases in this ordinance shall have their common law meaning and shall be applied in accordance with their common usage. Words used in the present tense include the future, the singular number includes the plural and the plural number includes the singular. The word "may" is permissive, "shall" is mandatory and is not discretionary.*

**A Zones.** Those areas shown on the Official Floodplain Zoning Map which would be inundated by the regional flood. These areas may be numbered or unnumbered A Zones. The A Zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.

**AH Zone.** See "Area of shallow flooding".

*AO Zone.* See "Area of shallow flooding".

*Accessory structure or use.* A facility, structure, building or use which is accessory or incidental to the principal use of a property, structure or building. An accessory structure shall not be used for human habitation.

*Alteration.* An enhancement, upgrade or substantial change or modification other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning and other systems within a structure.

*Area of shallow flooding.* A designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flood may be evident. Such flooding is characterized by ponding or sheet flow.

*Base flood.* Means the flood having a one percent chance of being equaled or exceeded in any given year, as published by FEMA as part of a FIS and depicted on a FIRM.

*Basement.* Any enclosed area of a building having its floor sub-grade on all sides.

*Breakaway wall.* A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

*Building.* See "Structure".

*Bulkhead line.* A geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the Department pursuant to s. 30.11, Wis. Stats., and which allows limited filling between this bulkhead line and the original ordinary highwater mark, except where such filling is prohibited by the floodway provisions of this ordinance.

*Campground.* Any parcel of land which is designed, maintained, intended, or used for the purpose of providing sites for nonpermanent overnight use by 4 or more camping units, or which is advertised or represented as a camping area.

*Camping unit.* Any portable device, no more than 400 square feet in area, used as a temporary shelter, including but not limited to a camping trailer, motor home, bus, van, pick-up truck, or tent that is fully licensed, if required, and ready for highway use.

*Certificate of compliance.* A certification that the construction and the use of land or a building, the elevation of fill or the lowest floor of a structure is in compliance with all of the provisions of this ordinance.

*Channel.* A natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.

*Coastal floodplain.* An area along the coast of Lake Michigan or Lake Superior which is inundated by the regional flood and which is also subject to additional hazard due to wave runup.

*Coastal high hazard area.* An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast, and any other area subject to high velocity wave action from storms.

*Crawlway or crawl space.* An enclosed area below the first usable floor of a building, generally less than five feet in height, used for access to plumbing and electrical utilities.

*Deck.* An unenclosed exterior structure that has no roof or sides and has a permeable floor which allows the infiltration of precipitation.

*Department.* The Wisconsin Department of Natural Resources.

*Development.* Any artificial change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or alterations to buildings, structures or accessory structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of percentage of damage or improvement; the placement of buildings or structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.

*Dryland access.* A vehicular access route which is above the regional flood elevation, and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation and wide enough for wheeled rescue and relief vehicles.

*Encroachment.* Any fill, structure, equipment, use or development in the floodway.

*Federal emergency management agency (FEMA).* The federal agency that administers the National Flood Insurance Program.

*Flood insurance rate map (FIRM).* A map of a community on which the Federal Insurance Administration has delineated both the floodplain and the risk premium zones applicable to the community. This map can only be amended by the Federal Emergency Management Agency.

*Flood or Flooding.* A general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:

- (a) The overflow or rise of inland waters;
- (b) The rapid accumulation or runoff of surface waters from any source;
- (c) The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior; or
- (d) The sudden increase caused by an unusually high-water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a seiche, or by some similarly unusual event.

*Flood frequency.* The probability of a flood occurrence which is determined from statistical analyses. The frequency of a particular flood event is usually expressed as occurring, on the average once in a specified number of years or as a percent (%) chance of occurring in any given year.

*Floodfringe.* That portion of the floodplain outside of the floodway which is covered by flood waters during the regional flood and associated with standing water rather than flowing water.

*Flood hazard boundary map.* A map designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A-Zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program (NFIP) until superseded by a Flood Insurance Study and a Flood Insurance Rate Map.

*Flood insurance study.* A technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood and provides both flood insurance rate zones and base flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A-Zones. Flood Insurance Rate Maps, that accompany the Flood Insurance Study, form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program.

*Floodplain.* Land which has been or may be covered by flood water during the regional flood. It includes the floodway and the floodfringe and may include other designated floodplain areas for regulatory purposes.

*Floodplain island.* A natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.

*Floodplain management.* Policy and procedures to ensure wise use of floodplains, including mapping and engineering, mitigation, education, and administration and enforcement of floodplain regulations.

*Flood profile.* A graph or a longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations along a stream or river.

*Floodproofing.* Any combination of structural provisions, changes or adjustments to properties and structures, water and sanitary facilities and contents of buildings subject to flooding, for the purpose of reducing or eliminating flood damage.

*Flood protection elevation.* An elevation of two feet of freeboard above the Regional Flood Elevation. (Also see: "Freeboard")

*Flood storage.* Those floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.

*Floodway.* The channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.

*Freeboard.* A safety factor expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for any factors that cause flood heights greater than those calculated, including ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of watershed urbanization, loss of flood storage areas due to development and aggregation of the river or stream bed.



*Habitable structure.* Any structure or portion thereof used or designed for human habitation.

*Hearing notice.* Publication or posting meeting the requirements of Ch. 985, Wis. Stats. For appeals, a Class 1 notice, published once at least one week (7 days) before the hearing, is required. For all zoning ordinances and amendments, a Class 2 notice, published twice, once each week consecutively, the last at least a week (7 days) before the hearing. Local ordinances or bylaws may require additional notice, exceeding these minimums.

*High flood damage potential.* Damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.

*Highest adjacent grade.* The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

*Historic structure.* Any structure that is either:

- (a) Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior; or by the Secretary of the Interior in states without approved programs.

*Increase in regional flood height.* A calculated upward rise in the regional flood elevation greater than 0.00 foot, based on a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain but not

attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.

*Land use.* Any nonstructural use made of unimproved or improved real estate. (Also see "development".)

*Lowest adjacent grade.* Elevation of the lowest ground surface that touches any of the exterior walls of a building.

*Lowest floor.* The lowest floor of the lowest enclosed area (including basement). An enclosed space as provided in s. 23.05(2)(b)6., is not considered the building's lowest floor.

*Maintenance.* The act or process of ordinary upkeep and repairs, including redecorating, refinishing, nonstructural repairs, or the replacement of existing fixtures, systems or equipment with equivalent fixtures, systems, or structures.

*Manufactured home.* A structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term "manufactured home" includes a mobile home but does not include a "mobile recreational vehicle."

*Mobile/manufactured home park or subdivision.* A parcel (or contiguous parcels) of land, divided into two or more manufactured home lots for rent or sale.

*Mobile/manufactured home park or subdivision, existing.* A parcel of land, divided into two or more manufactured home lots for rent or sale, on which the construction of facilities for servicing the lots is completed before the effective date of this ordinance. At a minimum, this would include the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads.

*Mobile/manufactured home park, expansion to existing.* The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed. This includes installation of utilities, construction of streets and either final site grading, or the pouring of concrete pads.

*Mobile recreational vehicle.* A vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal

use. Manufactured homes that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried, including park model homes, do not fall within the definition of "mobile recreational vehicles."

*Model, corrected effective.* A hydraulic engineering model that corrects any errors that occur in the Duplicate Effective Model, adds any additional cross sections to the Duplicate Effective Model, or incorporates more detailed topographic information than that used in the current effective model.

*Model, duplicate effective.* A copy of the hydraulic analysis used in the effective FIS and referred to as the effective model.

*Model, effective.* The hydraulic engineering model that was used to produce the current effective Flood Insurance Study.

*Model, existing (pre-project).* A modification of the Duplicate Effective Model or Corrected Effective Model to reflect any man-made modifications that have occurred within the floodplain since the date of the effective model but prior to the construction of the project for which the revision is being requested. If no modification has occurred since the date of the effective model, then this model would be identical to the Corrected Effective Model or Duplicate Effective Model.

*Model, revised (post-project).* A modification of the Existing or Pre-Project Conditions Model, Duplicate Effective Model or Corrected Effective Model to reflect revised or post-project conditions.

*Moderate wave action area (MoWA).* A special flood hazard area subject to the potential for breaking wave heights of greater than or equal to 1.5 feet, but less than 3 feet, where the primary source of flooding is astronomical tides, storm surges, seiches, and/or tsunamis. A MoWA is an area within zone AE on a FIRM that is between the inland limit of zone VE and a Limit of Moderate Wave Action, where identified. (Also known as "coastal A zone")

*Municipality or Municipal.* The City of Sturgeon Bay.

*NAVD or North American Vertical Datum.* Elevations referenced to mean sea level datum, 1988 adjustment.

*NGVD or National Geodetic Vertical Datum.* Elevations referenced to mean sea level datum, 1929 adjustment.

*New construction.* Structures for which the start of construction commenced on or after the effective date of a floodplain zoning regulation adopted by this community and includes any subsequent improvements to such structures.

*Non-flood disaster.* A fire or an ice storm, tornado, windstorm, mudslide, or other destructive act of nature, but excludes a flood.

*Nonconforming structure.* An existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this ordinance for the area of the floodplain which it occupies. (For example, an existing residential structure in the floodfringe district is a conforming use. However, if the lowest floor is lower than the flood protection elevation, the structure is nonconforming.)

*Nonconforming use.* An existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this ordinance for the area of the floodplain which it occupies. (Such as a residence in the floodway.)

*Obstruction to flow.* Any development which blocks the conveyance of floodwaters such that this development alone or together with any future development will cause an increase in regional flood height.

*Official floodplain zoning map.* That map, adopted and made part of this ordinance, as described in subsection 23.01(5)(b), which has been approved by the Department and FEMA.

*Open space use.* Those uses having a relatively low flood damage potential and not involving structures.

*Ordinary highwater mark.* The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

*Person.* An individual, or group of individuals, corporation, partnership, association, municipality, or state agency.

*Primary frontal dune.* A continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively steep slope to a relatively mild slope.

*Private sewage system.* A sewage treatment and disposal system serving one structure with a septic tank and soil absorption field located on the same parcel as the structure. It also means an alternative sewage system approved by the Department of Safety and Professional Services, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure, or a system located on a different parcel than the structure.

*Public utilities.* Those utilities using underground or overhead transmission lines such as electric, telephone and telegraph, and distribution and collection systems such as water, sanitary sewer, and storm sewer.

*Reasonably safe from flooding.* Means base flood waters will not inundate the land or damage structures to be removed from the floodplain and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

*Regional flood.* A flood determined to be representative of large floods known to have occurred in Wisconsin. A regional flood is a flood with a one percent chance of being equaled or exceeded in any given year, and if depicted on the FIRM, the RFE is equivalent to the BFE.

*Sand dunes.* Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

*Start of construction.* The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

*Structure.* Any manmade object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lakebed, including, but not limited to, roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.

*Subdivision.* Has the meaning given in s. 236.02(12), Wis. Stats.

*Substantial damage.* Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the equalized assessed value of the structure before the damage occurred.

*Substantial improvement.* Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the equalized assessed value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the work performed. The term does not include either any project for the improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions; or any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

*Unnecessary hardship.* Where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height, or density unnecessarily burdensome or unreasonable in light of the purposes of the ordinance.

*Variance.* An authorization by the board of adjustment or appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards (not uses) contained in the floodplain zoning ordinance.

*Violation.* The failure of a structure or other development to be fully compliant with the floodplain zoning ordinance. A structure or other development without required permits, lowest floor elevation documentation, floodproofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

*Watershed.* The entire region contributing runoff or surface water to a watercourse or body of water.

*Water surface profile.* A graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.

*Well.* An excavation opening in the ground made by digging, boring, drilling, driving or other methods, to obtain groundwater regardless of its intended use.

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

Approved:

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David Ward  
Mayor

Attest:

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Stephanie Reinhardt  
City Clerk

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

An Ordinance to Repeal and Recreate section 8.06(2) "Streets and Sidewalks-Obstructions and encroachments" of the Municipal Code as follows.

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

SECTION 1: Section 8.06(2) of the Municipal Code of the City of Sturgeon Bay, Wisconsin is hereby amended to read as follows:

- (2) *Exceptions.* The prohibition of subsection (1) shall not apply to the following:
- (a) Clocks attached to buildings which project not more than six feet from the face of such building and which do not extend below any point ten feet above the sidewalk, street or alley.
  - (b) Awnings which do not extend below any point seven feet above the sidewalk, street or alley.
  - (c) Public utility encroachments duly authorized by state law or the city council.
  - (d) Outdoor seating, outdoor display of merchandise, outdoor plant displays, or fixtures, only when permission is expressly given by the city council by application therefor.
  - (e) When permission is expressly given by the city council upon application therefor. Projecting signs are subject to the provisions of section 27.11(4) of this Municipal Code.
  - (f) Sidewalk cafes. Restaurants creating an outdoor seating area in the public right-of-way immediately adjacent to the restaurant may, upon approval by the city council following application to the city clerk, occupy and use a portion of the city right-of-way as approved by the city council and subject to the sidewalk cafe policy and procedures adopted by the City of Sturgeon Bay. The application fee for a sidewalk cafe shall be identified in the sidewalk cafe policy and procedures as adopted by the City of Sturgeon Bay. Any restaurant which obtains approval from the city council to serve alcohol upon the public right-of-way shall, in addition to receiving authorization under this section, obtain an amendment to its alcohol beverage license permitting service and consumption of alcohol upon the public right-of-way.
  - (g) Requirements for permitted encroachments. Encroachments into public rights-of-way listed under par. (a) through (f) above shall be subject to the following:
    - 1. The minimum cleared sidewalk width shall at all times be six feet.
    - 2. The owner of the building housing the business encroaching into the right-of-way shall sign and file a "Hold Harmless and Indemnification



Agreement" relieving the city of any legal liability related to the encroachment.

3. Restaurants adding outdoor seating shall be reviewed by the department of agriculture, trade, and consumer protection.
4. If portions of this section conflict with provisions in other sections of this Municipal Code, such as regulations that would prohibit proposed encroachments or be more restrictive regarding regulation of proposed encroachments, the more restrictive provision(s) shall govern.
6. Sidewalk Café encroachments under this subsection, shall require an annual permit to be issued by the office of the city clerk upon payment of a fee in an amount set by the common council.

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

Approved:

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David Ward  
Mayor

Attest:

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Stephanie Reinhardt  
City Clerk