

## **AGENDA**

### **CITY OF STURGEON BAY COMMUNITY PROTECTION & SERVICES COMMITTEE**

**Thursday, December 5, 2019**

**4:30 p.m.**

**Council Chambers, City Hall – 421 Michigan Street**

1. Roll Call
2. Adoption of Agenda
3. Public Comment on Agenda and Non-Agenda Items
4. Consideration of: Proposed Changes to the City's Compost Site
5. Consideration of: Sign Ordinance
6. Discussion of: Green Tier Community
7. Discussion of: CBD Oil Licensing and Regulations
8. Adjourn

**NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR**

Notice is hereby given that a majority of the Common Council may be present at this meeting to gather information about a subject over which they have decision-making responsibility. If a quorum of the Common Council does attend, this may constitute a meeting of the Common Council and is noticed as such, although the Common Council will not take any formal action at this meeting.

Posted:  
Date: 12/03/19  
Time: 1:00 p.m.  
By: SSO

Committee: Community Protection & Services  
Dan Williams, Chr.  
Kirsten Reeths  
Seth Wiederanders

**FINANCE/PURCHASING & BUILDING COMMITTEE**  
**November 26, 2019**

A meeting of the Finance/Purchasing & Building Committee was called to order at 4:00 pm by Alderperson Bacon in the Council Chambers, City Hall. Roll call: Alderpersons Bacon, Wiederanders and Williams were present. Also present: City Administrator Van Lieshout, City Treasurer/Finance Director Clarizio, Fire Chief Dietman, Municipal Services Director Barker and Receptionist Metzger.

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

1. Roll call.
2. Adoption of agenda.
3. Public comment on agenda items and other issues related to finance & purchasing.
4. Consideration of: Bids for Assistant Fire Chief Vehicle/Replacement of Truck #11.
5. Consideration of: Proposed Changes to the City's Compost Site and Funding.
6. Review bills.
7. Adjourn.

Carried.

The following spoke during public comment on agenda items: Chris Kellems, 120 Alabama St.

Consideration of: Bids for Assistant Fire Chief Vehicle/Replacement of Truck #11:

Fire Chief Dietman stated that this bid is for the purchase of a replacement vehicle. Chevrolet is shutting down their special services auto department for the type of vehicle the department is looking to replace and they will not be available until the third quarter of 2020 or into 2021. He stated that the one bid received from EWALD Chevrolet Buick, LLC has only one 2019 Chevy Tahoe available in the amount of \$38,206. The remaining funds from the \$53,000 that was allocated in the 2020 budget would purchase a radio, storage, tools, striping and additional equipment required to make the vehicle service ready.

Moved by Alderperson Williams, seconded by Alderperson Wiederanders recommend to Common Council to accept the bid from EWALD Chevrolet Buick, LLC to purchase a 2019 Fleet/Non-Retail Chevrolet Tahoe 4WD 4Dr Commercial CK 15706 in the amount of \$38,206, and to allow the use of additional savings from the purchase to purchase radio, storage, tools, striping and other required make-ready equipment and not to exceed the amount of \$53,000 as allocated in the 2020 capital budget and to accept the vehicle after January 1, 2020. Carried.

Consideration of: Proposed Changes to the City's Compost Site:

Municipal Services Director Barker stated that there is a need to change the operational hours and funding for the compost site operations. Currently, \$35,000 is spent annually to maintain the site which includes staffing of 2 seasonal employees and material grinding. The site is open 24 hours, 7 days a week. Continually, there are problems with illegal dumping of unauthorized materials such as toilets, lumber, metal and unauthorized dumping by contractors. Contractors can purchase a seasonal permit for \$1,000, residents of the Town of Sturgeon Bay and Sevastopol can purchase permits for \$100 and City residents are at no charge. Mr. Barker stated that they cannot enforce the illegal dumping and usage of the site being open all hours. In addition, the site does not have a monitoring system in place to capture violators. He explained that a proposed monthly increase to the solid waste user fee of \$2.00, would allow the site to be fully funded and fund an additional part time employee, because the compost site is not a covered service the levy limit would not be impacted. City Treasurer/Finance Director Clarizio elaborated that with levy limits if fees are created or increased then it has to be subtracted off the levy but because this is

not a covered service the fee can increase without impact to the levy. Residents who want to use the site would be issued a vehicle window sticker for site access. Mr. Barker outlined several operational scenarios for the compost site. He informed the Committee that the DNR could shut the site down not only because of the illegal dumping but also because the site is very close to maximum limits set by the DNR for materials processed. Committee discussions continued regarding site operational hours, potential security measures such as locking the gate, adding fencing and installation of high quality camera system. The Committee consensus was to decrease the contractor permit fee to \$500 and increase the solid waste user fee by \$2.00

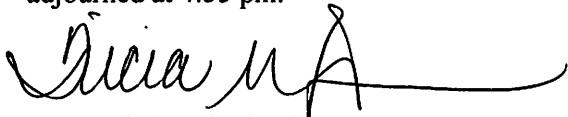
Moved by Alderperson Bacon, seconded by Alderperson Wiederanders to forward a resolution to Common Council to approve the proposed decrease of the Contractor Permit Fee and create a new compost site fee in the amount of \$2.00 which would be added to the Solid Waste User Fee as follows:

<u>Fee</u>	<u>Proposed Rate</u>
Contractor Permit Fee	\$500.00
Compost Site User Fee	\$ 2.00

Review bills

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

Moved by Alderperson Bacon, seconded by Alderperson Williams to adjourn. Carried. The meeting adjourned at 4:55 pm.



Respectfully submitted,  
Tricia Metzger

## **Executive Summary**

**Date:** 22 November 2019

**Title:** Proposed Changes to the City's Compost Site

**Background:** The current situation at the City's compost site could potentially lead to the sites closure if changes are not made. The City spends roughly \$35,000 to maintain the site annually, this cost is completely covered by tax dollars of city residents. Currently, the site is open 24 hours, 7 days per week. This is a great convenience to residents but leads to random unauthorized dumping at the site. In an average week, staff removes several hundred pounds of unauthorized material from the pile. Several boards of lumber with nails, plastic bags, garbage cans and other pieces of trash are removed daily. Staff has even found buckets of some form of excrement in the pile. Even though staff works daily to keep the brush and lawn clipping pile free of liter, there is still an abundance that makes it into the shredding machine. With that, the final product has shredded up plastic, paper, and other foreign materials mixed in which makes it undesirable for use in gardens and flower beds. If we have a better product it will be used by more people. In 2018, DPW expended approximately 100 hours to haul unused product to a local site where it was further composted, mixed with a lesser quality soil then screened into topsoil.

With the site being open all hours we can not enforce who uses it or what is dumped there. We do not have a monitoring system where we can attempt to track down violators. Attempts were made in the past to monitor the site with trail cameras without success. This proved to be ineffective due to not being able to see what folks have in their vehicles or trailers. The only accurate way this can be done is by someone inspecting what is being dumped. A high quality monitoring system with recording in combination with constant supervision would be the best scenario for eliminating illegal dumping at the site. A monitoring system is also needed at our snow dump site near the SBFD training site since there is also a lot of illegal dumping there.

Only Residents of the City of Sturgeon Bay as well as non-residents who own a residence within the city can dump for free. Residents of Sevastapool and the Town of Sturgeon Bay can use the site if they purchase a \$100 permit. Contractors must purchase a seasonal permit for \$1000. On an average year, six permits are sold to contractors. In 2019 only one was sold. Annually, the City pays about \$18,000 to have all of the brush shredded into mulch and the lawn clippings pile shredded for quicker decomposition into compost.

During the budget process the Department of Public Works requested an additional part-time employee. Unfortunately, funding was not available for such at that time; however, during the course of the budget meetings, staff was asked to continue looking for means to fund the position. Staff believes changing how business is done at the compost site will not only improve the compost product for the residents, but it will also free up and provide resources to fund a part-time employee. Revamping this program and adding an additional employee will help DPW to better maintain the City's public spaces for our residents. Additionally, as yard waste/compost is not a covered service, there will be no negative adjustments to future levies, and this will provide for a more equitable distribution of the cost of this service.



### **Proposal options:**

1. Close site to residents, keep it operating for City Municipal Service purposes only.
2. Keep it operating as we currently do. If this is chosen it is only a matter of time until the DNR closes the site due to illegal dumping.
3. Set scheduled hours of operation for the site, and lock the gate when closed. Proposed hours would be 7:00 – 3:00 Monday through Friday.
4. Set scheduled hours of operation for the site, and when the site is closed we would lock the gate.
  - o Spring and Fall Hours (Mar 15 – May 14 and Oct 1 – Dec 15) : 7:00 – 3:00 M, T, T, F, 10:00 – 6:00 (or sunset) on Wednesdays, 8:00 – 4:00 Saturday.
  - o Summer Hours (May 15 – Oct 1): 8:00 – 4:30 M-F, 8:00 – 2:00 Sat and Sun
  - o Charge a monthly fee of \$2 which would be added to the current solid waste fee and issue 1 window sticker for participants. The sticker must be attached to a window for it to be valid.

### **Fiscal Impacts:**

- o Option 1 would result in an estimated savings of \$15,000.
- o Option 2 would have no fiscal impact.
- o Option 3 would have no fiscal impact.
- o Option 4: If option 4 is adopted, the city would receive \$105,120 annually to fully fund the compost site (there are currently 4380 residents who use our solid waste service). These funds would also be used to fund an additional part-time employee for the Public Works / Parks Department.

**Recommendation:** Staff fully supports and recommends changing the hours and adding \$2 to our solid waste service fee described in Option 4.

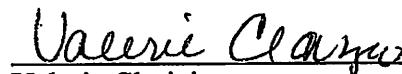
**Prepared By:**



Mike Barker  
Municipal Services Director

**Date:** 22 Nov 2019

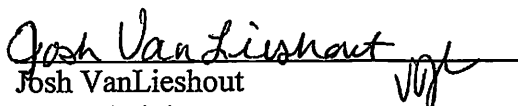
**Reviewed By:**



Valerie Clarizio  
Finance Director

**Date:** 11/22/19

**Reviewed By:**

  
Josh VanLieshout  
City Administrator

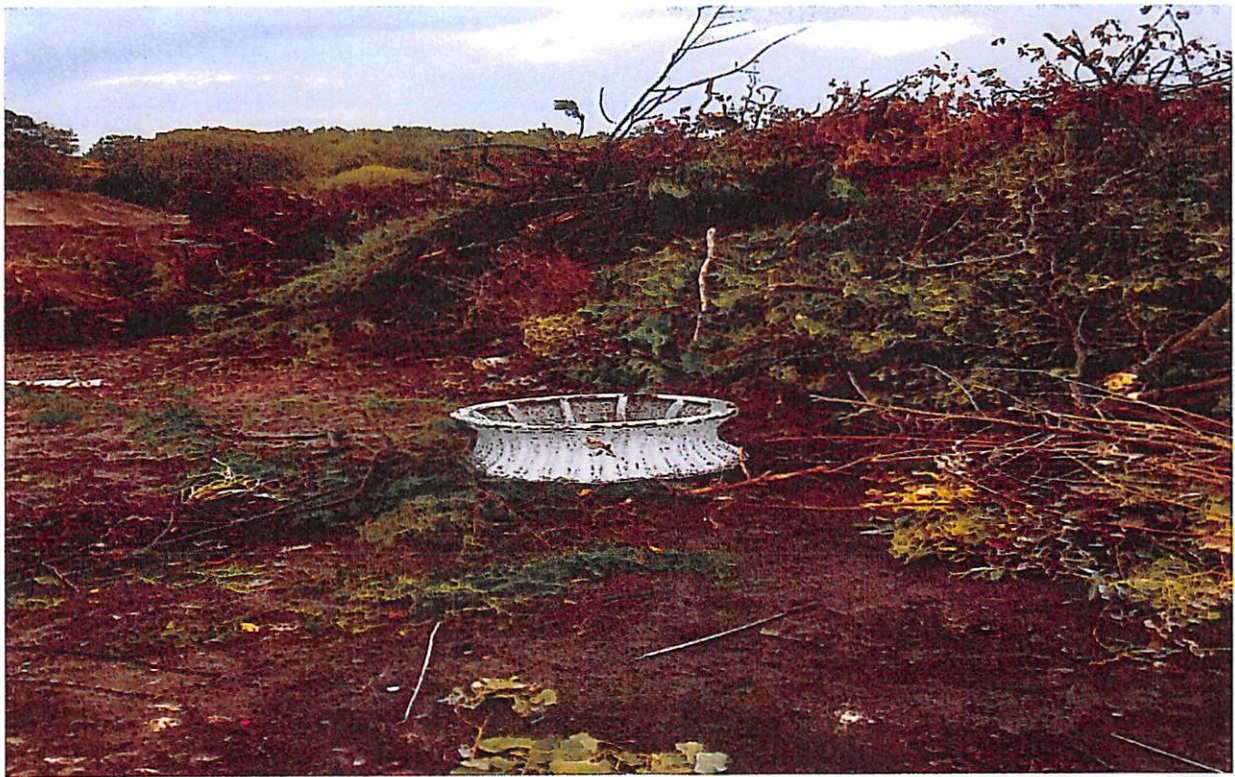
**Date:** 11/22/19

## City of Sturgeon Bay's

### Compost Site







































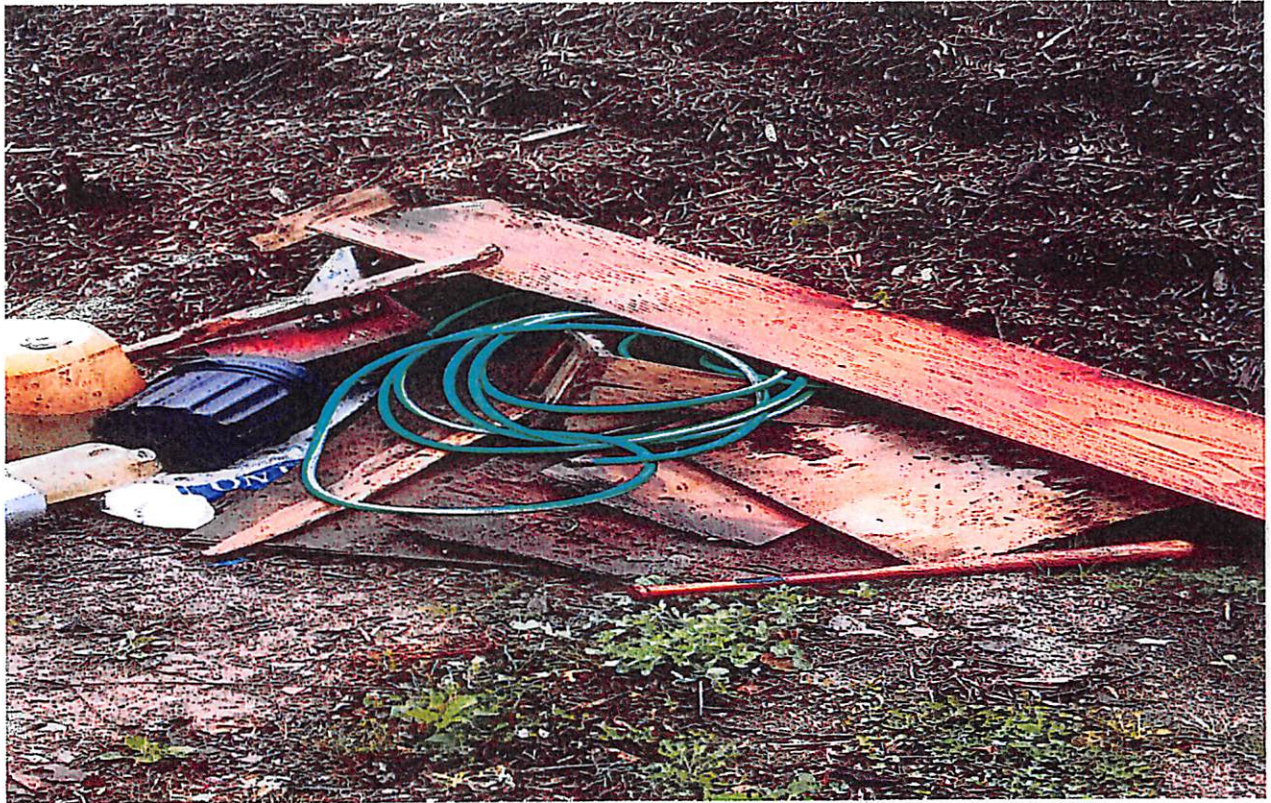
Sign was installed on 16 SEP 2019. Remaining pictures taken after sign was installed.























# MEMO

To: Community Protection and Services  
From: Christopher Sullivan-Robinson  
Date: December 3, 2019  
Subject: Banner Ordinance

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At the prior CP&S committee meeting this item was requested for review and potential changes of the code. Staff reviewed the ordinance (Section 27.12) which regulates special sign permits and believe the following items need to be discussed before drafting an ordinance.

**Should the City allows banners on any City property, the City's east / west banner sites, or nowhere?** Currently, the City permits banners on the east and west banner sites, and in other city properties such as public parks. If the City does not allow banners on City property then these applicants would need to seek out a special sign permit on their own properties or ask other commercial/industrial properties to place a banner.

**Should the City allow all events, just event held in the City only, or City sponsored event only (SBVC) on City property?** The City could elect to allow all events. This could mean that we get applicants for events being held outside the City. The City can restrict banners to those promoting events held within the City. Or, restrict banners to those specifically sponsored by the City such as the Sturgeon Bay Visitors Center.

**What length of time should be allotted for displaying a banner on City property?** The ordinance allows a maximum of 30 days on the banner sites. Staff believes that the amount of time granted is too much and have suggested 1-2 week permits.

**Should the City regulated banner dimensions or overall square-footage?** The current code allows 100 square-feet for a banner. Staff believes this is too much and that the average banner is roughly 4 ft x 8 ft or 32 square-feet.

**How many banners should be allowed on City property?** Over time the amount of banners allowed on the banner sites has increased. Now the city allows 3 banners per banner site. Should there be more or less spaces per site?

**Should the sign permit fee be adjusted?** The sign permit fee hasn't changed in a very long time. The fee is set at \$30.00 per permit.



## 27.12 - Special signs.

- (1) *Subdivision development signs.* The sign inspector may issue a special permit for a temporary sign in any zone in connection with the marketing of lots in a subdivision, subject to the following restrictions:
  - (a) Such permit may be issued for a period of not more than one year and may be renewed for additional periods of up to one year upon written application at least 30 days prior to its expiration.
  - (b) "Signs" as used in this section refers to all types of signs except those excepted or prohibited by this chapter.
  - (c) The sign must be located on the property being developed and must comply with all applicable building setback requirements.
  - (d) The sign may not exceed 50 square feet.
  - (e) One sign is allowed for each major street adjacent to the subdivision.
- (2) *Temporary signs.* In addition to signs allowed under section 27.09, one on-premises temporary sign facing each street may be displayed per lot, except as otherwise directed under paragraph (c) below. The temporary sign may be a banner, portable sign (including sandwich board sign), or other temporary sign, subject to the requirements listed below for each type:
  - (a) *Banners.* If the temporary sign is a banner, it shall meet the following:
    1. Size shall not exceed 64 square feet.
    2. The banner shall be affixed to a wall or to an existing permanent sign structure.
    3. The banner shall not exceed 20 feet in height.
    4. No wires or other metallic materials shall be used to attached such banner.
    5. A sign permit shall be required. In the commercial and industrial zoning districts an annual permit may be applied for allowing the erection of one banner at any given time as long as the location remains constant and the banner meets all other requirements. Such annual permit shall be valid on a calendar year basis, with annual reapplication. Renewal shall be at the discretion of the sign inspector, based upon the applicant's previous history of proper banner maintenance and adherence to the banner requirements. An applicant may appeal any banner permit decision to the common council.
    6. In all other zoning districts a sign permit for a banner shall be limited to 30 days in a calendar year.
  - (b) *Portable signs (other than sandwich signs).* If the temporary sign is a portable sign other than a sandwich board sign, it shall meet the following:
    1. A sign permit shall be required.
    2. Such sign shall not exceed 32 square feet.
    3. Such sign shall meet all the setback and general design requirements of a ground sign.
    4. The sign shall not become a public nuisance. Such signs shall be anchored or weighted to prevent the sign from being easily moved.
    5. The portable sign shall be limited to not more than four times displayed nor more than 60 cumulative days in a calendar year.
    6. The portable sign shall not be illuminated.
  - (c) *Sandwich signs.* If the temporary sign is a sandwich sign, it shall meet the following:

1. Sandwich signs shall only be permitted in the Central Business District (C-2), General Commercial (C-1), and Mixed Commercial - Residential (C-5) zoning districts.
  2. Sandwich signs shall not exceed six square feet in size.
  3. Sandwich signs shall be located outside of the public right-of-way (unless approved by the common council) and shall not interfere with pedestrian or vehicular traffic.
  4. Sandwich signs shall only be displayed during open business hours.
  5. Sandwich signs shall not be illuminated.
  6. Sandwich signs shall be made out of weatherproof materials.
  7. A sign permit shall be required for a sandwich sign on an annual basis. The sign permit shall be valid on a calendar year basis, with an annual reapplication. Renewal shall be at the discretion of the sign inspector, based upon the applicant's previous history of proper sandwich sign maintenance and adherence to the sandwich sign requirements. An applicant may appeal any sandwich sign permit decision to the common council.
  8. Multiple occupancy parcels. On a lot with multiple commercial occupancies, each commercial occupant may display one sandwich sign, provided the total number of sandwich signs on a lot shall not exceed one per 50 feet of frontage.
- (d) *Other temporary signs.* If the temporary sign is a sign other than a banner or portable sign, it shall meet the following:
1. The sign shall not exceed 12 square feet in size.
  2. The sign shall be affixed to a wall or other existing permanent structure.
  3. The sign shall not be illuminated.
  4. The sign shall meet the general design requirements and setbacks.
  5. No sign permit shall be required.
- (3) **Banners on city property.** The sign inspector may issue a special sign permit for a temporary banner erected on city property in connection with a social or civic event, subject to the following restrictions:
- (a) The banner shall not exceed 100 square feet.
  - (b) No banner shall be erected in such a manner that any portion is 20 feet or more in height.
  - (c) The banner shall meet the general design requirements and shall meet the setback requirements of a ground sign in a commercial or industrial district.
  - (d) Each banner shall be permitted for a maximum of 30 days per calendar year.
  - (e) No wires or metallic materials shall be used to attach such banner.
  - (f) Over-the-street banners are prohibited.
  - (g) Banners on the east and west city banner site standards will be permitted with the following additional restrictions:
    1. Use of city owned banner sites to promote events outside the city shall only be allowed upon receipt of authorization from the community protection and services committee or chairman of said committee.
    2. Banners shall not include any commercial advertising or promotions, other than listing corporate sponsors.
    3. Temporary banners for events being held within the City of Sturgeon Bay will be given priority for use of city owned banner sites.
    4. All permitted banners must be removed by expiration date on the permit.

5. A hold harmless agreement shall be signed at the time the permit is issued.
- (h) If city property has been reserved for the purposes of conducting such social or civic event, one banner may be erected on such property without requiring a sign permit, provided the banner is not displayed for more than 24 hours prior to or after such event and provided such banner meets all other banner requirements of this subsection.
- (4) *Electronic variable message signs (EVMS)*. The sign inspector may issue a special sign permit for a EVMS in the commercial and industrial zoning districts. The sign inspector shall apply the following standards in reviewing the proposed sign:
  - (a) *Dimensional standards*.
    1. EVMS shall meet the sign setback regulations for the appropriate zoning district.
    2. EVMS shall not be permitted where they attempt or appear to attempt to direct the movement of traffic or which interfere with, imitate or resemble any official traffic sign, signal or device. EVMS shall not be permitted where they prevent the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic.
    3. The illuminated or message display area of the EVMS shall be included within the area to be regulated as the maximum area of a sign for the site. The message display area shall not exceed 32 square feet.
  - (b) *Operational standards*.
    1. The EVMS shall only display static messages and such displays shall not have movement, animation or scrolling, or the appearance or illusion of movement.
    2. EVMS shall not be used as flashing signs or lights.
    3. Each message displayed by the EVMS shall remain for a minimum of 6 seconds.
    4. Each change of message must be accomplished within one second.
    5. All EVMS must be equipped with photosensitive equipment which automatically adjusts the brightness and contrast of the sign in direct relation to the ambient outdoor illuminations.
    6. Commercial messages displayed by a EVMS may promote only goods or services provided by companies occupying the site on which the sign is erected.
    7. EVMS must be maintained in safe and orderly condition, and so as to be able to display messages in a complete and legible manner.
    8. All EVMS shall comply with the minimum operational standards for EVMS contained in this section.
    9. Subsections 1, 3, and 4 of section 27.12(4)(b) shall not apply to any existing electronic variable message signs as of the adoption date of this subsection.
- (5) *Pennants, balloons and other similar articles*. The sign inspector may issue a special sign permit for pennants, balloons and other similar articles in connection with a special promotion or event, subject to the following requirements:
  - (a) No wires or metallic materials will be used to attach such pennants.
  - (b) No pennants shall be located in the vision triangle.
  - (c) No pennants shall be located in such a manner that obstructs vehicular movement on the premises.
  - (d) All pennants shall be set back from the property line five feet or more.
  - (e) No pennants shall be erected in such a manner that any portion of the pennants is 20 feet or more in height or higher than the first floor level, whichever is greater.

- (f) Special permits for pennants shall be issued for a maximum of 30 days per calendar year.
  - (g) All existing temporary pennants, balloons or similar articles shall comply with the restrictions applicable to such signs contained in this chapter.
- (6) *Off-premises emergency medical facility directional signs.* Off-premises emergency medical facility directional signs are permitted subject to review and approval by the city plan commission, and issuance of a sign permit by the building inspector. Application containing maps and drawings showing proposed sign location, size, and design shall be submitted to the city plan commission. Upon plan commission approval, the building inspector may issue a special sign permit.
- (7) *Cooperative ground signs.* A cooperative ground sign shall only be permitted under circumstances where there is benefit to both the petitioning business or uses and the city. Upon city plan commission approval, the sign inspector may issue a special sign permit for a cooperative ground sign identifying and/or advertising two or more separate uses or businesses, with the total land area consisting of five acres or more, subject to the following:
- (a) All uses which are to be identified upon the sign are located upon contiguous parcels of property, or are contiguous to an associated planned unit development.
  - (b) The sign must be located upon a parcel occupied by one of the uses or businesses.
  - (c) The maximum height of the sign shall be 25 feet (with an extra two feet allowed for architectural enhancements) with a maximum surface area of 200 square feet and a maximum for any one use not to exceed 100 square feet. The width of the sign should normally not exceed one-half the height of the sign structure.
  - (d) Any user of the sign waives any right to the use of any other ground sign upon the street or right-of-way upon which the cooperative ground sign is located.
  - (e) The lettering of the sign may not be changeable unless a portion thereof is required to be changeable by state or federal law.
  - (f) Conditions as imposed by the city plan commission including, but not limited to design, materials, color, landscaping, content, size or dimension limitations, location, and elimination/avoidance of traffic or vision hazards.