### AGENDA

### CITY OF STURGEON BAY COMMUNITY PROTECTION & SERVICES COMMITTEE Wednesday, May 13, 2020 4:00 p.m.

Council Chambers, City Hall – 421 Michigan Street

- 1. Roll Call
- 2. Adoption of Agenda
- 3. Public Comment on Agenda Items
- 4. Approval of Meeting Minutes
- 5. Consideration of: Request from Judy Lewis to operate a taxicab in the City of Sturgeon Bay DBA Judy's Taxi.
- 6. Consideration of: Request from Judy Lewis to operate a shuttle service in the City of Sturgeon Bay DBA Judy's Shuttle.
- 7. Consideration of: Review and Revise the Rules for Public Comment for the Council Agenda.
- 8. Consideration of: Revised Dock Permit Application.
- 9. Consideration of: Parklet Project
- 10. 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:

Committee: Community Protection & Services

Date: 5/8/20 Time: 4:00 p.m. Dan Williams, Chr. Kirsten Reeths Seth Wiederanders

By: SSO

### COMMUNITY PROTECTION & SERVICES COMMITTEE March 5, 2020

A meeting of the Community Protection & Services Committee was called to order at 4:30 p.m. by Chairperson Williams in the Council Chambers, City Hall. **Roll Call:** Members Mr. Williams and Mr. Wiederanders were present. Ms. Reeths was excused. Also present from City Departments were Ms. Clarizio, Mr. Barker, Mr. Wiegand, Mr. Sullivan-Robinson, Chief Dietman, Captain Brinkman, Mr. Stawicki, Alderpersons: Nault and Hayes.

Moved by Ald. Wiederanderrs, seconded by Ald. Williams to adopt the following agenda:

- 1. Roll Call
- 2. Adoption of Agenda
- 3. Public Comment on Agenda and Non-Agenda Items
- 4. Consideration of: Roll Out of Compost Site Information
- 5. Discussion of: Snow Plowing
- 6. Consideration of: Placing a Street Light at 127 W Maple Street
- 7. Consideration of: Vaping Ordinance Changes
- 8. Discussion Consideration of: Review Guidelines Regarding External Lighting of Signs
- 9. Discussion of: Issues Relating to the City Noise Ordinance
- 10. Consideration of: Charter for Green Tier Community Ad Hoc Committee
- 11. Adjourn

### **Public Comment**

Bob Bordeau: 416 Quincy Street Randy Osborne: 510 N. 5<sup>th</sup> Avenue Ald. Gary Nault: 711 Hickory Street Scott Moore: 947 Pennsylvania Street

Mary Mohr: 723 W. Oak Street Mary Morrow: 526 Kentucky Street

### **Compost Site**

The Compost Site is set to open March 15, 2020; no gate will be in place. Fees will not be collected at this time until a proper assessment and plan is reviewed for additional security options (i.e. cameras).

Hours of operation and fee prices have been discussed in prior meetings. The \$2.00 added fee will help cover the cost of staffing the site; however, there is a concern with lack of hiring prospects could, in turn, close the site altogether if there is no one to staff it. This is a necessity as in the past there has been problems with people dumping materials at the site when it is not attended.

City staff has several items that need to be worked out before any changes are made. Staff is aware of what people's concerns are. What and who gets charged needs more discussion. The roll-out of the information will be done professionally with someone experienced in social media and other informational formats (i.e. letter stuffed into the utility bill). Another issue with the site includes City residents who come to use the site but are not on the solid waste billing; what would be the charge to them? No decision at this time. This item will be brought back to this committee once more information is gathered.

### **Snow Plowing**

After a snow event where DPW was short-staffed and unable to keep up with plowing as usual, it was decided to look at the policy which constitutes how things are done. Mr. Barker explained how

the policy is outdated; he would like to go through it with his staff to see what changes can be made for future events. This item will be brought back to this committee once more information is gathered.

### Street Light at 127 W Maple Street

Current policy to request street light placement is to contact the district Alderperson, who brings the request to CPS committee where it is then passed onto staff who investigates and reviews request; staff then brings the request back to the CPS committee with a recommendation to either approve or deny the request and forward onto Council for final action.

In this instance, the committee chairperson and staff have looked into the request and believe there is no need for a street light. The customer has the option to pay to have a light placed if they would like.

Moved by Ald. Wiederanders, seconded by Ald. Williams, to refer this back to staff for analysis. This item will be brought back next meeting. Carried. All ayes.

### Vaping Ordinance

The ordinance is currently under review by the City Attorney. This item will be brought back to this committee once complete, and moved on for consideration.

### **Guidelines for External Lighting**

This was previously referred to the Aesthetic Design and Site Plan Review Board. Three changes were made and brought to this committee. It was discussed that the guidelines are specific enough, and will suffice; no ordinance needs to be created.

Moved by Ald. Wiederanders, seconded by Ald. Williams, hereby recommend the Common Council approve the Design Guidelines and Review Criteria, with changes, as shown in Attachment 1. Carried. All ayes.

### **Noise Ordinance**

No discussion.

### **Charter for Green Tier Ad Hoc Committee**

Ald. Hayes introduced the Sustainability and Resiliency Committee Charter packet draft. The mission of the committee is to improve the quality of life and economic vitality for Sturgeon Bay citizens, business and guests. Adopting and implementing sustainable and resilient environmental and economic management practices and policies will allow for this improvement. Discussion regarding committee membership, who it will report to and how it will work with other City departments. Some changes were discussed and will be corrected. This item will be referred to staff and the City Attorney for input, and brought back to this committee for consideration.

Moved by Ald. Wiederanders, seconded by Ald. Williams, to adjourn the meeting of the Community Protection Services Committee. All ayes. Carried. The meeting was adjourned at 5:40 p.m.

Respectfully submitted,

Sarah Spude-Olson
Police Department Office Manager

### **EXECUTIVE SUMMARY**

TITLE:

Request from Judy Lewis to operate a taxicab in the City of Sturgeon

Bay DBA Judy's Taxi.

**BACKGROUND:** 

Judy Lewis has submitted her application for a taxicab license to the City Clerk. The application is in order. Typically this application is handled at the Community Protection & Services Committee where a public hearing is held to deem public necessity.

Section 9.06(3) of the Municipal Code (Taxicabs) states that a public hearing will be held to deem public convenience and necessity of granting such a license. Section 9.06 is attached. After the public hearing, a recommendation to the Common Council is necessary.

**FISCAL IMPACT:** 

The fiscal impact includes a revenue source of \$17.00 for the first vehicle and \$11.00 for each additional vehicle for licensing fees.

**OPTIONS:** 

Schedule a date for a public hearing, for the Community Protection & Services Committee, to deem public convenience and necessity of

granting such a license.

PREPARED BY:

Stephanie L. Reinhardt. City Clerk/Human Resources Director

**REVIEWED BY:** 

Arleigh Porter, Police Chief

DATE:

4/30/2020

To Whom It May Concern,

I am applying for a Taxi Business license in the name of "Judy's Taxi" in the town of Sturgeon Bay, Door County, Wisconsin on todays date of 04/20/2020

My name is Judith Lewis. If approved, I would be taking calls for my Taxi service from my home at this time.

My address is 8229 Horseshoe Lane Sturgeon Bay, Wi 54235

2 Vehicles are ready to be used, and one is inspected and licensed in Green Bay, Wi

2006 Chrysler Town & Country, VIN # 2A4GP54L46R724634 (GB Inspected) Capacity 6 + Driver Plate # AHT9150

2011 Chevy Traverse VIN # 1GNKREED2BJ190105 Capacity 7 + Driver Plate # 949XFU My vehicles will be insured, marked, well maintained, Non-Smoking and cleaned & sanitized.

Vehicles will be marked on the inside in very clear language with prices of my services, rules and regulations.

I would be available 7 days a week by appointment and also curb service Fri, Sat and Sunday.

Accepting the following for payment: Lakeland Care, Door-Tran, Tavern League Safe rides, Private contracts, Cash, Debit/ Credit cards.

My rate will be \$7.00 for the 1st loaded mile and \$3.00 for each additional loaded mile (In city limits)

Outside city limits the charges will be \$15 for the 1st 3 loaded miles and then \$7.00 for each additional loaded mile.

Out of season (Nov 1st -April 15th) Charges will be \$1.00 a mile unloaded till pickup then \$7 for the 1st loaded mile and \$3 each additional loaded mile. Workers, Elderly, Veterans, School age Children and Disabled (mentaly & physically) will be charged \$7 for the 1st three loaded miles and \$3 each additional mile.

Inside city limits would be considered C&W Auto- YMCA -Walgreens-TacoBell- Cherryland Airport- Waterfront Marys- BSC- C&W Auto. Anything outside of this would be considered outside city limits,

At 1st I intend on running the Taxi service by myself with the help of one part time self employed contractor.

The safety of Door County residents and guests is something that I take very seriously. All drivers will be trained in customer service and Taxi etiquette before being allowed to pick up passengers. Ongoing training will be provided. I will be subcontracting local drivers.

Each new prospective driver will have and pass a full background check through the DOJ, CCAP thru the State of Wisconsin and a full drivers insurance abstract. Each new driver will also obtain a license thru the City of Sturgeon Bay before they begin driving.

As a resident of Sturgeon Bay, I know that Door County is in need of additional transportation options.

I know that my Taxi company will be a much needed asset to the community and to accommodate it's 2 million visitors a year.

Thank you for your time in reviewing my Taxi Application. If you have any questions please don't hesitate to contact me.

Judith Lewis

920-677-2877

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- (1) Definition of taxicab. The term "taxicab" shall include all vehicles transporting passengers for remuneration for which patronage is solicited publicly. This section shall not apply to:
  - (a) Vehicles operating on established routes which are regulated by the Public Service Commission of Wisconsin;
  - (b) Vehicles rented to be driven by the renter or his/her agent, commonly known as rent-a-cars;
  - (c) Vehicles operated solely as funeral cars or ambulances; and
  - (d) Vehicles operated solely for a shuttle service between the city and destination points outside of the city.
- (2) Taxicab license. No person shall for remuneration transport passengers in a taxicab within the city without first having obtained a taxicab license.
- (3) Application for taxicab license.
  - (a) Application for a taxicab license to operate one or more taxicabs or an application to operate additional taxicabs under an existing license shall be made in writing to the clerk-treasurer giving the address from which the business is conducted and signed by the owner of the business or his/her duly authorized agent. The application must also state for each vehicle to be operated the make, model and year of manufacture, the engine number, serial number, and capacity for passengers, and the Wisconsin state certificate of title number and license number.
  - (b) The application shall be submitted by the clerk-treasurer to the common council, which shall set a date for a public hearing before the council to examine the public convenience and necessity of granting such license. The clerk-treasurer shall notify the applicant of the time and place set for the hearing.
  - (c) No license shall be granted until the city council, by resolution, has determined that the public convenience and necessity will be served by the service proposed in the application for license. The council may hold such further hearings and procure such additional information as it may deem necessary or advisable in making such determination. The council may attach such conditions to the license as it deems appropriate for public convenience and necessity.
  - (d) Vehicles operated solely as limousines serving a particular business establishment or establishments which are not generally available to members of the public at large, and for which patronage is not publicly solicited for purposes not related to the business establishment or establishments served by the limousine service, are exempt from this section.
- (4) License fee. The taxicab license fee shall be in an annual amount set by the common council or any fractional part thereof, for the first vehicle operated and in an annual amount set by the common council, or any fractional part thereof, for each additional vehicle operated by the licensee. The license year shall commence July 1 and end June 30. If less than six months remain of the license year, the license fee for the first taxicab shall be reduced one-half.
- (5) Insurance.
  - (a) No taxicab license shall be issued until the applicant deposits with the clerk-treasurer a policy of liability insurance covering all vehicles to be included under the license. Such policy shall describe each vehicle by make, model and serial number, number of passengers capable of being accommodated therein at one time, and the number of the state motor vehicle license. Such insurance policy shall be issued by a company licensed to do business in the state and shall insure the licensee against loss from liability to the amount of \$50,000.00 for the injury or death of one person in any one accident, and in the amount of \$100,000.00 for the injury or death of more than one person in any one accident, and in the amount of \$25,000.00 for damage to property of others for any one accident due to the negligent operation of such vehicle.

- (b) The policy of insurance shall be approved by the city attorney as to legal form before it is filed, and shall contain a provision that the same may not be cancelled before the expiration of its terms except upon ten days' written notice.
- (c) The cancellation or other termination of any insurance policy issued in compliance with this section shall automatically revoke and terminate all licenses issued for the vehicles covered by such insurance policy, unless another policy shall have been filed and approved pursuant to this section, and shall be in effect at the time of such cancellation or termination.
- (6) Issuing of taxicab license and license plates.
  - (a) After passage of the resolution of convenience and necessity as provided in subsection (3)(c) and upon filing with the clerk-treasurer a receipt showing payment of the required license fees and the policy of insurance as herein provided, the clerk-treasurer shall issue to the applicant a taxicab license. Each license granted shall be numbered and shall show the owner's name and place of business and the number of vehicles which may be operated thereunder.
- (7) Taxicabs to be marked. Every taxicab shall be conspicuously marked on the right and left side with the name of the licensee and the serial number designated in the taxicab license, such letters and numbers not to be less than 1½ inches in height and of a light color on a dark background or dark color on a light background. A card containing the name of the licensee, taxicab license number and rates of fares printed thereon shall be kept in a conspicuous place inside of such vehicle at all times.
- (8) Transfer of taxicab licenses. A taxicab license shall be transferable with consent of the city council. Formal application to the city council shall be made, such application to state the names of the persons involved in the transfer and generally to contain all information required by subsection (3) hereof. The city council shall approve or disapprove such transfer, except that no license shall be issued until applicant for transfer shall have complied with all of the provisions of subsection (5) in all respects and shall have in addition thereto paid over to the clerk a transfer fee in an amount set by the common council.
- (9) Renewal. Taxicab licenses may be renewed by the clerk-treasurer upon the payment of the fees and filing of policies of insurance as required for the original license.
- (10) Revocation. A taxicab license may be revoked at any time by the city council for violation of any provision of this section, or for violation of any provision of chs. 340—348, Wis. Stats., or of any such statutory provision incorporated in a municipal ordinance. Such revocation may be for all vehicles or any vehicle included under a license. When any taxicab license is revoked, it shall be the duty of the clerk-treasurer to immediately notify the licensee to cease immediately to operate the taxicab for which the license has been revoked.
- (11) Condition of vehicles. The licensee shall keep each taxicab in a clean and sanitary condition, well painted and equipped and maintained as required by ch. 347, Wis. Stats.
- (12) Taxi driver's license required; issuance.
  - (a) No person shall operate a taxicab unless he/she shall possess a taxi driver's license. The fee for such license shall be in an amount set by the common council. This provision shall not apply to the operator of a non-motorized vehicle.
  - (b) Each applicant shall submit in writing to the chief of police on forms furnished by the police department a statement of the applicant's full name; present residence; residence for three years past; age; color; height; weight; color of eyes and hair; citizenship; place of last previous employment; marital status; Wisconsin motor vehicle operator's license number; whether he/she has ever been convicted of a felony or a misdemeanor; whether he/she has ever been previously licensed as a driver or chauffeur and, if so, when and by what authority; whether his/her license has ever been revoked or suspended and, if so, for what cause; and the name of the prospective employer. Applications shall be retained as police department records.
  - (c) No license shall be granted to any person:
    - 1. Who is under 18 years of age.

- 2. Who does not possess a valid Wisconsin state motor vehicle operator's license.
- 3. Who has been convicted of any felony, misdemeanor or any other nontraffic offense the circumstances of which substantially relate to the circumstances of the vocation of a taxi driver.
- 4. Who has been convicted of a traffic offense or traffic offenses which substantially relate to the circumstances of the vocation of a taxi driver and which indicate, for the preservation of public safety, that the applicant is unfit to drive a taxicab.
- (d) A taxi driver's license shall expire one year following its issuance. It may be renewed upon application to the chief of police on a form furnished by him/her entitled, "Application for Renewal of Taxi Driver's License," which shall show the full name and address of the applicant and date upon which his/her original license was granted and the number thereof.
- (e) Upon receiving payment of the license fee, the chief of police shall provide to each licensed taxi driver a license of such form and style as the chief of police may prescribe, with the license number thereof, which must, under penalty of revocation of the license, be constantly and conspicuously displayed in the taxicab when he/she is engaged in his/her employment. Each licensee shall affix to the face of the license, in the space provided, a photograph of himself/herself not less than 1½ inches square which shall provide an accurate likeness of his/her face.
- (f) The chief of police shall maintain a complete record of each license issued to a driver and of all renewals, suspensions, and revocations thereof, which shall be filed with the original application.
- (13) Revocation of taxi driver's license.
  - (a) The chief of police shall revoke or refuse to renew the taxicab driver's license of any licensee:
    - 1. Whose Wisconsin driver's license has been suspended or revoked.
    - Who has been convicted of any felony, misdemeanor or any other nontraffic offense the circumstances of which substantially relate to the circumstances of the vocation of a taxi driver.
    - 3. Who has been convicted of a traffic offense or traffic offenses which substantially relate to the circumstances of the vocation of a taxi driver and which indicate, for the preservation of public safety, that the applicant is unfit to drive a taxicab.
  - (b) Written notice of such revocation or refusal to renew shall be given the licensee. Any person whose license has been revoked or renewal refused by the chief of police may, within ten days thereof, appeal to the city council for a hearing; and the council may, after the hearing, affirm or reverse the action of the chief of police. If no appeal is taken within ten days, the action of the chief of police shall be final.
  - (c) The chief of police shall repossess each license which is revoked.
- (14) Transfer of drivers. A taxi driver may not transfer from one taxicab licensee to another licensee until such transfer has been recorded in writing with the chief of police.
- (15) Rates of fare.
  - (a) Every person licensed to operate one or more taxicabs under subsections (2) through (6) shall file with the city clerk a schedule of proposed fees. Within 20 days from such filing, the council shall either approve or disapprove of such rates. If the proposed rates shall be disapproved, the council shall hold a hearing within ten days from the date of such disapproval. Notice of the time, place and purpose of such hearing shall be given by publication of such notice in any newspaper having a paid circulation published in the city. The city council on such hearing shall hear all interested parties and thereafter fix rates which shall be consistent with public necessity and welfare.

- (b) If the city council neither approves nor disapproves the proposed rates within the time limited, the licensee shall operate under the rates proposed and the council shall not for a period of six months from such filing date change or alter the rates as filed.
- (c) The city council may, except as above provided, inquire into rates and fix and adjust such rates at any time, providing the council shall first hold a hearing and advertise and give notice of the time, place and purpose of such hearing by publication of a notice at least twice.
- (d) The owner or driver of any taxicab shall not charge any passenger a higher or lower rate of fare than that authorized by the council.

(Code 1992, § 9.06; Ord. No. 976-996, § 2, 9-3-96; Ord. No. 978-996, § 1, 9-3-96; Ord. No. 1009-998, §§ 1—3, 9-1-98; Ord. No. 1016-699, § 1, 6-1-99; Ord. No. 1061-0301, § 1, 3-20-01; Ord. No. 1155-1105, § 1, 11-15-05; Ord. No. 1270-0112, § 4, 1-3-12; Ord. No. 1270-0112, § 5, 1-3-12; Ord. No. 1270-0112, § 6, 1-3-12)

State Law reference— Authority, § 349.24, Wis. Stats.

### **EXECUTIVE SUMMARY**

TITLE:

Request from Judy Lewis to operate a shuttle service in the City of

Sturgeon Bay DBA Judy's Shuttle.

**BACKGROUND:** 

Judy Lewis has submitted her application for a Shuttle license to the City Clerk. The application is in order. Typically this application is handled at the Community Protection & Services Committee where a public hearing is held to deem public necessity.

Section 9.065 of the Municipal Code (Shuttle Services) states that a public hearing will be held to deem public convenience and necessity of granting such a license. Section 9.065 is attached. After the public hearing, a recommendation to the Common Council is necessary.

FISCAL IMPACT:

The fiscal impact includes a revenue source of \$17.00 for the first vehicle and \$11.00 for each additional vehicle for licensing fees.

**OPTIONS:** 

Schedule a date for a public hearing, for the Community Protection & Services Committee, to deem public convenience and necessity of granting such a license.

PREPARED BY:

Stephanie L. Reinhardt, City Clerk/Human Resources Director

**REVIEWED BY:** 

Arleigh Porter, Police Chief

DATE:

4/30/2020

To Whom It May Concern,

I am applying for a Shuttle Business license in the name of "Judy's Shuttle" in the town of Sturgeon Bay, Door County, Wisconsin on todays date of 04/20/2020

My name is Judith Lewis. If approved, I would be taking calls for my Shuttle service from my home at this time.

My address is 8229 Horseshoe Lane Sturgeon Bay, Wi 54235

2 Vehicles are ready to be used, and one is inspected and licensed in Green Bay, Wi

2006 Chrysler Town & Country, VIN # 2A4GP54L46R724634 (GB Inspected) Capacity 6 + Driver Plate # AHT9150

2011 Chevy Traverse VIN # 1GNKREED2BJ190105 Capacity 7 + Driver Plate # 949XFU

### 9.065 - Shuttle services.

- (1) License required. No person shall for remuneration transport passengers in a vehicle from a point in the city to destination points outside the city without first having obtained a license for such purpose from the city. This section covers taxicabs, limousines, shuttle buses or other vehicles transporting persons for renumeration, except charter buses.
- (2) Application for license.
  - (a) Application to operate a shuttle service between a point in the city and a destination point outside of the city shall be made in writing to the city clerk-treasurer giving the name and address of the applicant, the name and location of the shuttle business, the place from which passengers will be picked up in the city, and the place in which passengers from outside the city shall disembark in the city. In addition, the application must also state, for each vehicle to be operated in such shuttle business, the make, model and year of manufacture, the engine number, serial number, capacity for passengers, Wisconsin state certificate of title number and license number.
  - (b) The applicant shall further furnish to the city clerk-treasurer evidence that the applicant and all other drivers of vehicles to be used in such business possess such vehicle operator licenses as are required by the State of Wisconsin to operate the vehicles used in such a shuttle service.
  - (c) The application shall be submitted by the clerk-treasurer to the common council, which will set a date for a public hearing before the council to examine the public convenience and necessity of granting such license. The clerk-treasurer shall notify the applicant in writing of the time and place set for hearing.
  - (d) No license shall be granted until the city council, by resolution, has determined that the public convenience and necessity will be served by the service proposed in the application for license. The council may hold such further hearings and procure such additional information as it may deem necessary or advisable in making such determination.
- (3) License fee. The license fee shall be in an annual amount set by the common council, or any fractional part thereof, for the first vehicle operated and in an annual amount set by the common council, or any fractional part thereof, for each additional vehicle operated by the licensee. The license year shall commence July 1 and end June 30. If less than six months remain on the license year, the license fee for the first vehicle shall be reduced by one-half.
- (4) *Insurance*. No license shall be issued for any vehicle used in such shuttle service until the applicant has complied with the insurance requirements set forth in section 9.06(5) of the City Code.
- (5) Transfer of licenses. A license for a vehicle used in such shuttle serve shall be transferrable only with the written consent of the city council. Formal application to the city council shall be made, stating the names of the persons involved in the transfer and containing all information required by section (2) above. The city council shall approve or disapprove such transfer, except that no license shall be issued until the applicant for transfer has complied with all of the provisions of section (4) above in all respects and shall have, in addition, paid over to the clerk a transfer fee in an amount set by the common council.
- (6) Renewal; revocation. Renewal of licenses for vehicles used in such shuttle service and revocation of such licenses shall be as provided in sections 9.06(9) and (10) of the City Code.
- (7) Condition of vehicles. The licensee shall keep each vehicle used in such shuttle service in a clean and sanitary condition, well painted and equipped and maintained as required by ch. 347, Wis. Stats.
- (8) Rates of fare. Every person licensed to operate one or more vehicles in a shuttle service under this section shall comply with the requirements of rates of fare set forth in section 9.06(15) of the City Code.

(Ord. No. 978-996,  $\S$  2, 9-3-96; Ord. No. 983-0497,  $\S$  1, 4-1-97; Ord. No. 1270-0112,  $\S\S$  7, 8, 1-3-12)

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

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

- <u>Must</u> fill out a "Request to Comment" form and turn it in to the City Clerk or Mayor <u>PRIOR</u> to the start of the meeting. Name and address must be filled in. Request to comment forms can be turned in from 8:00 am to 6:50 pm the day of the Common Council meeting.
- Individuals will have a maximum of three (3) minutes to address the Council. A total of 30 minutes will be allotted to Public Comment per meeting, unless the Council body agrees to extend the time. The extensions will be 15 minute additional increments.
- Priority will be given to City residents.
- The speaker shall not engage in personal attacks against the Mayor, Council
  members, City staff or its representatives and remain courteous and respectful.
  The Council/Committee requests that all comments and interactions between
  those present be conducted in a constructive and respectful manner. Anyone
  acting in a disruptive or disrespectful manner will be asked to leave the meeting
  by the person presiding at the meeting.
- The Mayor/Chair may ask questions of the speaker for clarification purposes.
- The Mayor/Chair may allow, at his discretion, Council/Committee members or staff to respond to the speaker's comment. However, dialogue will not ensue.
- The Mayor/Chair may refer the matter to a committee or to the City Administrator for further follow up as needed.

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

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

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

RESPECTFULLY, MAYOR DAVID J. WARD

ADOPTED: 05/21/19

### April 28, 2020

Parking Lane "Parklets" Dining and Retail Opportunity Program

Premise of the program: As Safer at Home orders are modified, it is likely that restaurants will be allowed to reopen for dining in, with limitations. One of the expected limitations is a reduction in the allowed indoor seating.

A significant part of running a successful restaurant, besides great food and service, is having an adequate number of seats and turnover. Additionally beer, wine and liquor sales are significant sources of revenue and vital for a profitable operation. It is also expected that similar occupancy limitations will be imposed on retailers.

Destination Sturgeon Bay, by their Board of Directors have inquired as to the feasibility to make use of public on street parking spaces for additional dining retail space.

The following framework is intended to encourage a creative use of the public space and entice residents and guests to explore Sturgeon Bay for new experience that cannot be found elsewhere on the Door Peninsula.

### Time and Duration

- For the duration of the season, designated spaces on Third Avenue would be converted to parklets for additional retail and dining space.
- On Friday, Saturday, and Sunday from June 15 to September 15 both lanes of Third
  Avenue would be closed to through traffic to encourage diners, retail shoppers and
  pedestrians to explore the area.
- Monday through Thursday, driving lanes of Third Avenue are open to through traffic.
- Parklets remain available for use every day the participating business is open. As the
  parking spaces and right of way are publicly owned, when the participating business is
  not open, the parklet must be available to the general public for sitting and rest.
- Hours for use of parklet is between 7:00 a.m. and 10 p.m. Sunday through Saturday.

### Location

- Third Avenue, Michigan Street to Jefferson Street
- Other blocks/streets as appropriate without street closures. (Ex. Third between Michigan and Oregon, Madison, Oak etc.)

### **Design of Parklets**

- Confined to the boundaries of the parking lanes (within the area boarded by white paint) and adjacent to the participating business
- Boundaries of the space would be defined by either a raised platform with rail or physical barrier between seating/retail and driving lanes.

- No permanent improvements will be allowed. The standard is a raised platform, matching the height of the curb with railing or physical barrier between adjacent travel lanes and open parking spaces.
- Patio heaters, sun shades and potted plants or trees are allowed.

### Operation

- Dining and retail would be confined to the parking lanes, leaving the driving lanes open to pedestrians, emergency and service vehicles.
- Garbage and recycling is the responsibility of the adjoining property owner.
- Keeping the adjoining area and parklet clean is the responsibility of the benefiting property regardless if the business is open, closed, before or after designated hours.
- Alcohol may be served on the sidewalk and in parklets, but must be served in unbreakable containers. Alcohol cannot be sold to leave the premise, except under current package good laws. In other words, no "to go" cups.
- Smoking is prohibited in parklets.

### Reasons to try:

- Could help in differentiating Sturgeon Bay as friendly place to visit and spend money. A
  differentiating experience not available elsewhere on the Door Peninsula.
- Encourages getting out of the car and walking.
- Reverberation of the hard facades on Third Avenue from loud motor vehicles such as motorcycles, sanitation trucks, and personal vehicles are reduced, thus enhancing the experience.

### Reasons to not try:

- Some loss of convenience parking (there is an abundance of parking on adjoining streets in and in public parking lots)
- Fear of program users (businesses) that insist on breaking rules
- Fear of program users who fail to adequately maintain and clean the spaces
- Fear of creating a negative atmosphere (ie. Beale Street, State Street, or French Quarter). This doesn't align with the known demographic of Sturgeon Bay.

### **Benefits**

- Differentiates Sturgeon Bay from other peninsula communities
- Provides an option for business to create a new experience
- Provides support from the City to participating businesses in a non-monetary way
- Attempts to give choice in what is expected to be a difficult retail and dining season

### Costs

 Potential for additional Municipal Services labor (barricades, garbage, street sweeping, etc.)

- Potential for additional Police effort (may need to do foot / bicycle patrol), response times
- Potential for Fire / EMS to have to move barricades to service a closed street (Alleyways will remain open)
- Convenience parking for general public
- Difficulty with deliveries

### Next steps

- Review current code for conflicts to be addressed.
- Develop rules
- Review with Community Dev./Building Insp./Fire/Police/Municipal Services
- Draft resolution or ordinance establishing the program on a temporary basis
- Determine if there is support from affected
- Placement on CP&S for discussion and preliminary vetting
- Proceed, modify and halt as directed by CP&S
- Common Council consideration if approved by CP&S

### Issues needing to be addressed:

- Local traffic patterns
- Public safety
- Occupancy of public space for private use
- Pedestrian accommodations
- Safer at Home impacts (ex. Interior seating reductions, etc.)
- Open intoxicants on public property
- Litter / garbage / recycling
- Days of the week / hours
- Smoking
- Vectors (seagulls, rats, etc.)

# Parklet Pilot Program

## **Use and Operation Standards**

What are parklets?

Parklets are the temporary use of on-street parking spaces to provide amenities and/or park-like spaces for the general public to enjoy. This is beneficial to the public as well as businesses. Increases the amount of foot traffic and reduce the amount of automotive traffic.

Fronting properties along 3rd Ave between Oregon Street and Jefferson Street; Along Louisiana Street and Kentucky Street between 2nd and 4th Ave; Along Madison

parklets allowed?

Who can participate and where are

Ave between Maple Street and Pine Street; Along Maple Street and Oak Street between Lansing Avenue and Neenah Avenue.

How many parklet sites per property?

1 site per street frontage adjacent to the subject property not to exceed a sum total of 2 parking spaces.

Time and Duration

May 15 - Oct 15; 7:00 A.M. - 10:00 P.M.

Sales

Dining and retail shall be confined to the parklet. Alcohol may be served on the sidewalk and parklet in unbreakable containers, but shall not leave the premises.

Neighborhood Support

If the parklet utilizes only one parking space, then written support from the abutting property owners is required. If the parklet utilizes more than one parking space,

then written support is required from the abutting neighbors and 51% of the fronting properties on the block.

### **Design of Parklets**

- 1. Parklets shall be setback from the traveled road edge at least 2 feet and have a gap no greater than 1/2" between the curb and parklet.
- 2. Parklets decking shall be flush with the curb and be wheel chair accessible.
- 3. Continuous vehicle barriers must be placed along the both sides of the parklet and Parklet shall be setback at least 4 feet from the vehcile barriers.
- 4. The parklet must contain vertical elements to be visible to passing vehicles at least 3 feet tall. Railings, cabling, planters, or a combination may be used.
- 5. A gap of 6" shall be maintained between the body of the parklet and the curb to facilitate the movement of water. Curbside drainage may not be impeded as determined by the City Engineer.
- Parklets shall be allowed a 1 squarefoot identification sign.
- 7. Permenant structures are not allowed and parklet shall not extend beyond the borders of a parking space or other wise take up a partial parking space as identified by the white lines.
- 8. Parklets shall not be allowed where there is no parking allowed or in parking spaces for people with disabilities.

## Application Submittal

Parklet Application + Fee

Letter of Request

Community Support Letters and / or Petition

Site Plan including street side property lines sidewalks, on-street parking stalls, and all obtstructions

Project Description

Maintenance / Operation Plan: including all items required by the City

Building Plan: Including all items required by the City

Certificate of Insurance including the City of Sturgeon Bay as insured for not less than \$1 million.

Hold Harmless Agreement