

AGENDA
CITY OF STURGEON BAY
WATERFRONT REDEVELOPMENT AUTHORITY

Wednesday, June 8, 2022
3:00 p.m.
Council Chambers, City Hall
421 Michigan Street

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from May 11, 2022.
4. Public comment on agenda items.
5. Update on current waterfront redevelopment activities.
6. Consideration of: Transfer of property located at between W. Larch Street and W. Locust Street – Bridgeport Resort parking lot (parcel no. 281-64-61001907A).
7. 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.

June 3, 2022
3:00 p.m.
CS

WRA Members
Chris Jeanquart
Ryan Hoernke
Dan Williams
Spencer Gustafson
Barbara Pfeifer
John Hauser
Carrie Tjernagel

WATERFRONT REDEVELOPMENT AUTHORITY
Wednesday, May 11, 2022

A meeting of the Waterfront Redevelopment Authority ("WRA") was called to order at 3:00 p.m. by Chair Dan Williams in the Council Chambers, City Hall, 421 Michigan Street, Sturgeon Bay.

Roll Call (#1): Members present: Ryan Hoernke, Dan Williams, Chris Jeanquart, Spencer Gustafson, John Hauser, Barbara Pfeifer and Carrie Tjernagel were present. Also present were WRA Secretary Marty Olejniczak, who appeared by Zoom, City Zoning Administrator Christopher Sullivan-Robinson, City Administrator Josh VanLieshout, Finance Director/City Treasurer Val Clarizio, and Community Development Administrative Assistant Cindy Sommer.

Adoption of agenda (#2): Motion was made by Hoernke and seconded by Jeanquart to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from February 9, 2022.
4. Public comment on agenda items.
5. Update on current waterfront redevelopment activities.
6. Consideration of: Sale of property located at northwest corner of S. Madison Ave and W. Pine Street (parcel no. 281-46-65021803).
7. Update regarding sale of property located at 10 W. Larch Street (parking lot) - parcel no. 281-24-15090301A.
8. Convene in closed session in accordance with the following exemption:
 Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. 19.85(1)(e).
 Consideration of: Sale of property located at 10 W. Larch Street (parking lot) – parcel no. 281-24-15090301A.)
 Move to reconvene in open session to take formal action upon preceding subject of closed session, if appropriate; or to conduct discussion or give further consideration where the subject is not appropriate for closed session consideration. The Authority may adjourn in closed session.
9. Adjourn.

All ayes. Motion carried.

Approval of minutes from February 9, 2022 (#3): Motion was made by Hauser and seconded by Hoernke to approve the minutes from February 9, 2022. All ayes. Motion carried.

Public Comment on agenda items only (#4): Chris Kellems of 120 Alabama Street wants ownership of the property at Pine and Madison to be in the hands of the City. She would like to see townhouses or a transit/trolley stop there. She said that ownership of the parking lot for Sonny's should be transferred to the City.

Update on current waterfront redevelopment activities (#5): Olejniczak updated the members on the positive things happening at the waterfront:

- 1) The Maritime Museum is doing their dedication ceremony on May 22;
- 2) The City is doing a ribbon-cutting celebration on the promenade on May 21;
- 3) There is a fountain dedication taking place on May 20 in Grant Park;
- 4) Peter Gentry received an historic fill exemption from the DNR; he is considering revamping his plans due to rising costs, which may include reducing or eliminating the residential portion of the plan and going with only two stories;

- 5) Council approved an amendment to the development agreement with the Sturgeon Bay Historical Society Foundation allowing for more time for the completion of the grain elevator renovation project.

Sullivan-Robinson confirmed that six lots on 3rd Avenue by the shipyard have gone up for sale, about half are already sold and one has already submitted a building plan.

Consideration of: Sale of property located at northwest corner of S. Madison Ave and W. Pine Street (parcel no. 281-46-65021803) (#6): Olejniczak indicated this is the only parcel that is not currently entangled and is titled in the WRA. This is a vacant lot and there are five options to consider: 1) issue a request for proposals to developers; 2) put on the market with a realtor; 3) put up for sale by owner; 4) quit-claim the parcel to the city; 5) approach Lau's Auto Care to see if they are interested in acquiring the property.

The members discussed the options and there was consensus that the City should take over ownership with perhaps an RFP to follow if desired by the City. Motion made by Hauser to quit-claim the property located at the northwest corner of W. Madison Ave. and W. Pine Street, parcel no. 281-46-65021803, to the City of Sturgeon Bay. Gustafson seconded motion. Hoernke questioned whether the property was in a TID district and if there's any benefit to keeping the property. Olejniczak informed it is in TID #2, but the benefit to keeping the property is very small and mostly immaterial due to size of property and the TID will close before any value could be added. All ayes. Motion carried.

Update regarding sale of property located at 10 W. Larch Street (parking lot) - parcel no. 281-24-15090301A (#7): Olejniczak provided history on a federal grant for the property involving possible restrictions. Previously, the City apparently got approval to swap out some of the property that could not be sold/developed unless approved by federal government. Records are not clear so further investigation may be warranted. Options at this point are: 1) back away from sale; 2) work with DNR staff to clarify restrictions; 3) initiate process to exchange land that is restricted with other parkland.

Convene in closed session in accordance with the following exemption:

Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conduction other specified public business, whenever complete or bargaining reasons require a closed session. 19.85 (1)(e).

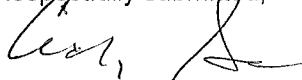
Update regarding sale of property located at 10 W. Larch Street (parking lot) - parcel no. 281-24-15090301A.

Move to reconvene in open session to take formal action upon preceding subject of closed session, if appropriate; or to conduct discussion or give further consideration where the subject is not appropriate for closed session consideration. The Authority may adjourn in closed session. (#8):

Motion by Pfeifer to convene in closed session and seconded by Hauser. Roll call vote. All ayes. Motion carried. The meeting convened in closed session at 3:31 p.m.

Adjourn (#9): Motion to adjourn by Tjernagel and seconded by Jeanquart. All ayes. Motion carried. The meeting was adjourned in closed session at 3:36 p.m.

Respectfully submitted,


Cindy Sommer
Community Development
Administrative Assistant



Memo

To: Waterfront Redevelopment Authority
From: Marty Olejniczak, Community Development Director
Date: June 3, 2022
RE: Disposition of WRA Interest in Bridgeport Resort Parking Lot

One of the parcels that the Waterfront Redevelopment Authority is charged with disposing of is the parking lot used by Bridgeport Resort located between W. Larch Street and W. Locust Street. This parcel is listed as being co-owned by Bridgeport Resort and the WRA. I did some research and discovered that the WRA owns the easterly 13.37 feet of the parcel, while Bridgeport owns the westerly 50 feet.

The WRA and Bridgeport entered into a development agreement for the resort. In 1997 the WRA transferred what was then a 50-foot wide parcel to Bridgeport Resort. This was to be used for additional parking for the resort. Then in 1999 a certified survey map was recorded that reconfigured the lots in that block, including adding the 13 feet to parking parcel. The 13 feet was taken from land owned by Thomas (Cap) Wulf. Wulf then transferred ownership of the 13-foot strip to the WRA.

It appears that the 13 feet was added to the parking lot parcel in order to allow 90-degree parking stalls. That parking layout enabled more stalls to fit on the parcels. But, it is unknown why the strip wasn't simply transferred to Bridgeport Resort or why the WRA didn't subsequently deed the strip to the resort. The end result is the current 63-foot wide parcel has joint ownership.

The WRA's ownership interest in the parking lot does not appear to have any significant value to the City or WRA. Bridgeport pays taxes and maintains the lot. The development agreement does not have any relationship to the WRA's ownership of the 13 feet. But, this issue could cause trouble for Bridgeport Resort if it tries to sell its property.

There are two options to resolve this. The WRA could simply quitclaim its ownership to Bridgeport Resort or it could attempt to negotiate a price for the land with Bridgeport. It is also possible for Bridgeport to claim adverse possession of the strip because it has been openly using it for more than 20 years.

My suggestion is to quitclaim the property to Bridgeport.

594603
WARRANTY DEED

THIS DEED, made between **Thomas O. Wulf, GRANTOR**, and **City of Sturgeon Bay Waterfront Redevelopment Authority, GRANTEE**,

WITNESSETH, That the said Grantor, for one dollar and other good and valuable consideration conveys to Grantee the following described real estate in Door County, Wisconsin:

The Westerly 13.37 feet of Lot 6, Block 11 in Harris' First Addition to the City of Sturgeon Bay, Door County, Wisconsin.

Such tract is also described as the Easterly 13.37 feet of Lot One of a CSM dated 6/14/99 which is identified as Exhibit A, attached hereto and incorporated herein.

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RECEIVED FOR RECORD
REGISTER OF DEEDS
DOOR COUNTY

08 SEP 14 PM 4 03

Thomas O. Wulf

Tract Indexed

Register of Deeds Recording Area

Name and Return Address:
PSWJNH&W

1600

FEE # 7725(29) WHZ
EXEMPT 127

This is not homestead property.

Together with all and singular the hereditaments and appurtenances thereunto belonging:

And Grantor warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utility and municipal services, including that which is shown on the above referenced certified survey map, recorded building and use restrictions and covenants, general taxes levied in the year of closing, and will warrant and defend the same.

Dated this 25th day of August, 1999.

(SEAL)

Thomas O. Wulf
Thomas O. Wulf (SEAL)

(SEAL)

(SEAL)

AUTHENTICATION

Signature(s) _____

authenticated this ___ day of _____, 19__.

TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by §706.06, Wis. Stats.)

This Instrument Drafted By:
Attorney **Randall J. Nesbitt**
Pinkert, Smith, Weir, Jinkins,
Nesbitt, Hauser & Weber
454 Kentucky Street, P.O. Box 89
Sturgeon Bay, WI 54235-0089
Telephone No.: (920) 743-6505

ACKNOWLEDGMENT

STATE OF WISCONSIN)
)SS
COUNTY OF DOOR)

Personally came before me this 25 day of August, 1999, the above-named Thomas O. Wulf to me known to be the person who executed the foregoing instrument and has acknowledged the same.

Randall J. Nesbitt
* Randall J. Nesbitt
Notary Public, State of Wisconsin

My Commission is permanent. (If not, state expiration date: _____, 19____.)

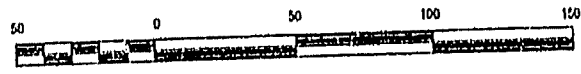
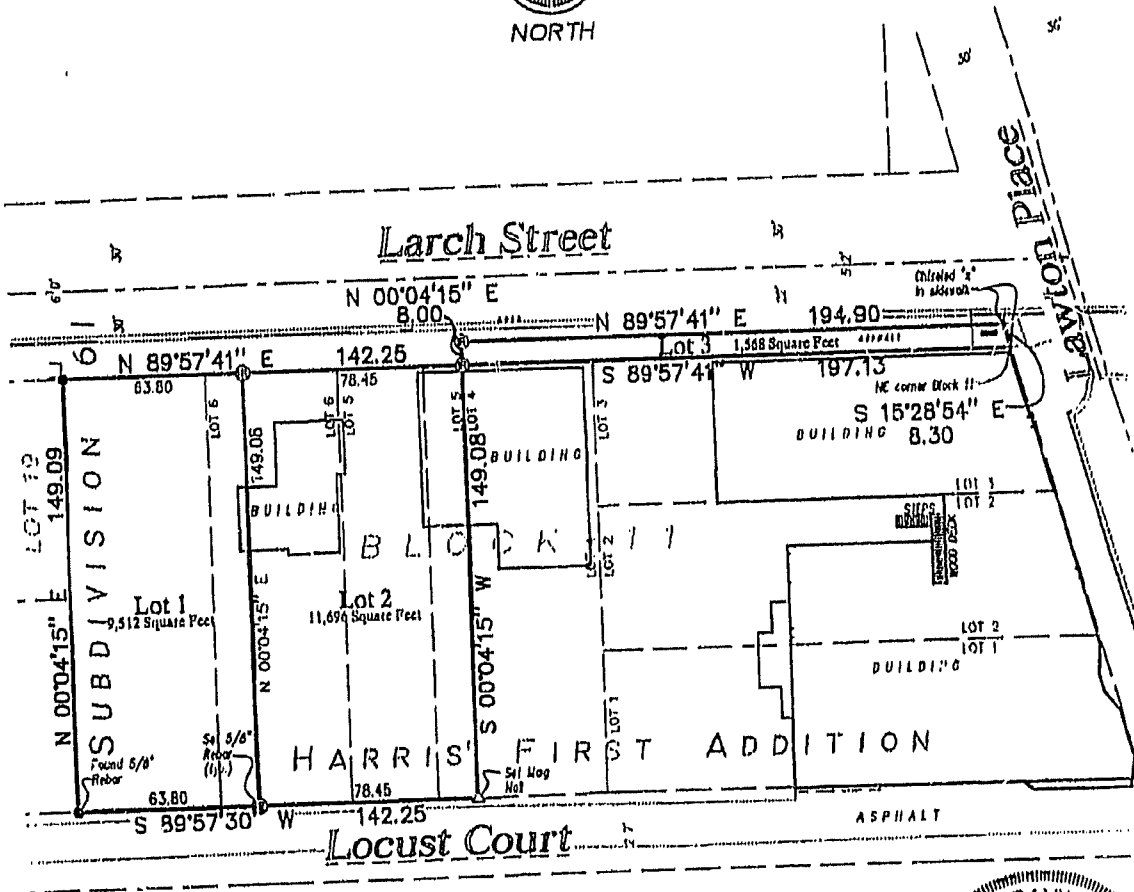
Certified Survey Map

LOTS 5 AND 6 OF BLOCK 11 OF HARRIS' FIRST ADDITION,
THE EAST 50 FEET OF THE SOUTH 150 FEET OF LOT 19, SUBDIVISION 61
AND A PORTION OF LARCH STREET

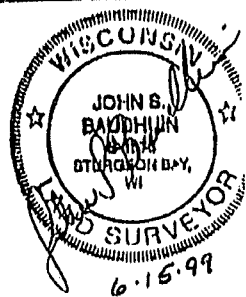
LOCATED IN:
GOVERNMENT LOT 3 OF SECTION 7,
TOWNSHIP 27 NORTH, RANGE 26 EAST,
CITY OF STURGEON BAY, DOOR COUNTY,
WISCONSIN.



NORTH



Scale 1" = 50'



Certified Survey Map

LOTS 5 AND 6 OF BLOCK 11 OF HARRIS' FIRST ADDITION,
THE EAST 50 FEET OF THE SOUTH 150 FEET OF LOT 19, SUBDIVISION 61
AND A PORTION OF LARCH STREET

LOCATED IN:
GOVERNMENT LOT 3 OF SECTION 7,
TOWNSHIP 27 NORTH, RANGE 26 EAST,
CITY OF STURGEON BAY, DOOR COUNTY,
WISCONSIN.



NORTH

SURVEYOR'S CERTIFICATE:

I, JOHN S. BAUDHUIN, REGISTERED LAND SURVEYOR FOR BAUDHUIN INCORPORATED,
DO HEREBY CERTIFY THAT WE HAVE SURVEYED THE FOLLOWING DESCRIBED PARCEL.

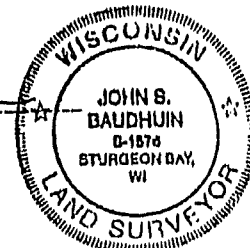
A PARCEL OF LAND BEING LOTS 5 AND 6 OF BLOCK 11 OF HARRIS' FIRST ADDITION, THE EAST
50 FEET OF THE SOUTH 150 FEET OF LOT 19 OF SUBDIVISION 61, AND A PORTION
OF LARCH STREET, LOCATED IN GOVERNMENT LOT 3 OF SECTION 7, TOWNSHIP 27 NORTH,
RANGE 26 EAST, CITY OF STURGEON BAY, DOOR COUNTY, WISCONSIN, MORE PARTICULARLY
DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER OF LOT 4, BLOCK 11 OF HARRIS' FIRST ADDITION,
SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY OF LARCH STREET ALSO BEING THE POINT OF
BEGINNING OF LANDS TO BE DESCRIBED;
THENCE N. 00°04'15" E., 8.00 FEET;
THENCE N. 89°57'41" E., 194.90 FEET TO A POINT ON THE NORTHERLY EXTENSION OF THE WESTERLY
R.O.W. LINE OF LAWTON PLACE;
THENCE S. 15°28'54" E., 8.30 FEET ALONG SAID EXTENSION LINE TO THE NORTHEAST
CORNER OF SAID BLOCK 11;
THENCE S. 89°57'41" W., 197.13 FEET ALONG SAID SOUTHERLY R.O.W. LINE OF LARCH STREET TO SAID
NORTHWEST CORNER OF LOT 4;
THENCE S. 00°04'15" W., 149.08 FEET TO THE NORTHERLY R.O.W. LINE OF LOCUST COURT;
THENCE S. 89°57'30" W., 142.25 FEET ALONG SAID NORTHERLY R.O.W. LINE OF LOCUST COURT;
THENCE N. 00°04'15" E., 149.09 TO SAID SOUTHERLY R.O.W. LINE OF LARCH STREET;
THENCE N. 89°57'41" E., 142.25 FEET ALONG SAID SOUTHERLY R.O.W. LINE OF LARCH STREET TO
THE POINT OF BEGINNING;
SAID PARCEL CONTAINS 22,776 SQUARE FEET.

I FURTHER CERTIFY THAT THE ATTACHED MAP IS A TRUE REPRESENTATION OF
SAID PROPERTY AND CORRECTLY SHOWS THE EXTERIOR BOUNDARIES AND CORRECT
MEASUREMENTS THEREOF. ALSO, I HAVE FULLY COMPLIED WITH THE REQUIREMENTS OF
CHAPTER 236.34 OF THE WISCONSIN STATUTES.

DATED: 6-15-99

John S. Baudhuin
JOHN S. BAUDHUIN
R.L.S. 1498



594603

Certified Survey Map

LOTS 5 AND 6 OF BLOCK 11 OF HARRIS' FIRST ADDITION,
THE EAST 50 FEET OF THE SOUTH 150 FEET OF LOT 19, SUBDIVISION 61
AND A PORTION OF LARCH STREET

LOCATED IN:
GOVERNMENT LOT 3 OF SECTION 7,
TOWNSHIP 27 NORTH, RANGE 26 EAST,
CITY OF STURGEON BAY, DOOR COUNTY,
WISCONSIN.



NORTH

OWNER'S CERTIFICATE:

AS OWNERS, THOMAS O. WULF, ROBERT M. STARR, MAYOR OF THE CITY OF STURGEON BAY, AND JOHN KRAUSS, CLERK-TREASURER OF THE CITY OF STURGEON BAY, WE HEREBY CERTIFY THAT WE HAVE CAUSED THE LAND SURVEYED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED, AND MAPPED AS REPRESENTED ON THIS CERTIFIED SURVEY MAP. WE ALSO CERTIFY THAT THIS CERTIFIED SURVEY MAP IS REQUIRED BY S. 236.10 OR S. 236.12 TO BE SUBMITTED TO THE STURGEON BAY PLANNING COMMISSION FOR APPROVAL OR OBJECTION IN ACCORDANCE WITH CURRENT LAND SUBDIVISION ORDINANCES.

DATED: _____

THOMAS O. WULF, OWNER

DATED: _____

ROBERT M. STARR
MAYOR, CITY OF STURGEON BAY

DATED: _____

JOHN KRAUSS
CLERK-TREASURER, CITY OF STURGEON BAY

PLANNING COMMISSION CERTIFICATE:

THIS CERTIFIED SURVEY MAP HAS BEEN SUBMITTED TO AND APPROVED IN ACCORDANCE WITH CHAPTER 21 OF THE STURGEON BAY MUNICIPAL CODE.

DATED: _____

SECRETARY
PLANNING COMMISSION