



**CITY OF STURGEON BAY COMMON COUNCIL AGENDA
TUESDAY, APRIL 2, 2013
7:00 P.M.
COUNCIL CHAMBERS, CITY HALL – 421 MICHIGAN ST
THAD G. BIRMINGHAM, MAYOR**

1. Call to order.
2. Pledge of Allegiance.
3. Roll call.
4. Adoption of agenda.
5. Recognition of retiring Loader/Heavy Equipment Operator Thomas Mengert for service from 1977-2013.
6. Consideration of the following bills: General Fund – \$56,915.01, Capital Fund - \$1,649.91, Cable TV - \$4,390.00, TID #2 - \$299.00, and Solid Waste Enterprise - \$3,139.65 for a grand total of \$66,393.57. [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 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 3/19/13 regular Common Council minutes.
 - * b. Approval of the following minutes:
 - (1) Sturgeon Bay Utility Commission – 2/12/13
 - (2) Finance/Purchasing & Building Committee – 3/12/13
 - (3) Community Protection & Services Committee – 3/14/13
 - (4) Waterfront Redevelopment Authority – 3/18/13
 - (5) Loan Review Committee – 3/19/13
 - (6) City Plan Commission – 3/20/13
 - * c. Consideration of: Approval of Beverage Operator Licenses.
 - * d. Consideration of: Approval of Class A Beer and Class A Liquor License.
 - * e. Finance/Purchasing & Building Committee recommendation re: Accept bid from May's Sport Center for two zero turn mowers with bagger units in the amount of \$17,544.
 - * f. Finance/Purchasing & Building Committee recommendation re: Refund LaVine's Ice Company, LLC \$1,785.32 for overpayment of their 2012 personal property taxes.
 - * g. Community Protection & Services Committee recommendation re: Repeal and recreate Section 12.015 and 12.016 of the Municipal Code (Garbage & Refuse collection)
8. Mayoral appointments.

9. **First reading of ordinance re: Amend Section 12.015 and 12.016 of the Municipal Code – Garbage and Refuse Collection.**
10. **Consideration of: Reconstruction of North 4th Avenue from Jefferson Street to 500' north of Iowa Street and West Oak Street from Madison Avenue to Lansing Avenue.**
11. **Community Protection & Services Committee recommendation re: Install streetlight by alley on Oak Street, Pole #10G-9-4-8.**
12. **Sturgeon Bay Revolving Loan Fund Committee recommendation re: Approval of revisions to the CDBG-ED Capitalized Revolving Loan Program Policies and Procedures Manual for the City of Sturgeon Bay.**
13. **Sturgeon Bay Revolving Loan Fund Committee recommendation re: Loan of \$35,000 be approved for Scaturo's Baking Company subject to conditions.**
14. **Finance/Purchasing & Building Committee recommendation re: Purchase of one police vehicle.** (Recommendation will be available after Finance/Purchasing & Building Committee meeting that will meet prior to Council.)
15. **Finance/Purchasing & Building Committee recommendation re: Police Department Transfer.** (Recommendation will be available after Finance/Purchasing & Building Committee meeting that will meet prior to Council.)
16. **Committee Chairperson Reports:**
 - a. **City Plan Commission**
 - b. **Finance/Purchasing & Building Committee**
 - c. **Park & Recreation Committee**
17. **Public comment on non-agenda items.**
18. **Mayor's comments.**
19. **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).

Consideration of: Crew Supervisor.

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

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.

Posted:

Date:

3/28/13

Time:

12:00pm

By:

L. O'Neil

CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT

INVOICES DUE ON/BEFORE 04/02/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
GENERAL FUND				
LIABILITIES				
R0001046	ADVANCED DISPOSAL SERVICES INC	OVERPAYMENT PERSONAL PROPERTY	01-000-000-23169	46.81
R0001047	LONDON CAPELLE	REF BEV OPERATOR APP FEE	01-000-000-44280	20.00
TOTAL LIABILITIES				66.81
TOTAL GENERAL FUND				66.81
LAW/LEGAL				
16555	PINKERT LAW FIRM, LLP	TRAFFIC MATTERS	01-110-000-55010	1,207.00
16555		T1	01-110-000-55010	39.00
TOTAL				1,246.00
TOTAL LAW/LEGAL				1,246.00
CITY CLERK-TREASURER				
03330	VALERIE CLARIZIO	REIMB AIR GFOA CONF CALIFORNIA	01-115-000-55600	413.60
04696	DOOR COUNTY TREASURER	2012 1ST INST TAX COLLECTION	01-115-000-58100	3,038.00
R0001044	JENNIFER HUDON, DISTRICT 6	MTAW JOINT MEETING CLARIZIO	01-115-000-55600	25.00
R0001045	WMCA DISTRICT 7	05/13 WMCA DISTRICT 6&7 MTNG	01-115-000-55600	20.00
TOTAL				3,496.60
TOTAL CITY CLERK-TREASURER				3,496.60
ADMINISTRATION				
11825	KRUKOWSKI AND COSTELLO, SC	FMLA MANUAL UPDATE	01-120-000-56000	89.00
11825		SHIPPING	01-120-000-56000	8.50
R0001044	JENNIFER HUDON, DISTRICT 6	MTAW JOINT MEETING MCNEIL	01-120-000-55600	25.00
TOTAL				122.50
TOTAL ADMINISTRATION				122.50
CITY ASSESSOR				
22800	WALMART COMMUNITY	FLASH DRIVE & PADDED ENVELOPE	01-130-000-51950	7.51
ASSO APP	ASSOCIATED APPRAISAL	04/02/13 CONTRACT	01-130-000-55010	1,245.83
TOTAL				1,253.34
TOTAL CITY ASSESSOR				1,253.34
MUNICIPAL SERVICES ADMIN.				
03075	CARQUEST OF DOOR COUNTY	BRAKE PADS & ROTORS	01-145-000-56250	101.06
TOTAL				101.06

INVOICES DUE ON/BEFORE 04/02/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
TOTAL MUNICIPAL SERVICES ADMIN.				101.06
PUBLIC WORKS ADMINISTRATION				
03767	STAPLES ADVANTAGE	CASE COLORED PAPER	01-150-000-52800	67.90
03767		INK, PENS, PAPER & CLIPS, ENLP	01-150-000-51950	133.42
22800	WALMART COMMUNITY	ADDRESS LABELS & PENS	01-150-000-51950	11.64
TOTAL				212.96
TOTAL PUBLIC WORKS ADMINISTRATION				212.96
CITY HALL				
04545	DOOR COUNTY COOPERATIVE	TIE DOWN STRIPS	01-160-000-54999	18.99
12100	LAMPERT YARDS INC	1 SHEET OSB	01-160-000-54999	17.89
23730	WPS	421 MICHIGAN ST	01-160-000-56600	2,036.85
WARNER	WARNER-WEXEL WHOLESALE &	2 CASES TP	01-160-000-51850	118.86
TOTAL				2,192.59
TOTAL CITY HALL				2,192.59
GENERAL EXPENDITURES				
16555	PINKERT LAW FIRM, LLP	REC FEES DANS FISH	01-199-000-51525	60.00
FIRST	FIRST BANKCARD	2 ROLLS STAMPS ABSENTEE BALLOT	01-199-000-57250	92.00
TOTAL				152.00
TOTAL GENERAL EXPENDITURES				152.00
POLICE DEPARTMENT				
17700	QUILL CORPORATION	OFFICE SUPPLIES	01-200-000-51950	7.90
17700		REPORT COVERS	01-200-000-51950	4.95
20081	TARGET BANK	CORR TAPE & FLASH DRIVES	01-200-000-51950	30.98
22800	WALMART COMMUNITY	BATTERIES, KLEENEX & CUPS	01-200-000-51950	48.16
FIRST	FIRST BANKCARD	LODGING ACTIVE SHOOTER PORTER	01-200-000-55600	103.05
TOTAL				195.04
TOTAL POLICE DEPARTMENT				195.04
POLICE DEPARTMENT/PATROL				
04590	DOOR COUNTY HUMANE SOCIETY	2013 2ND QTR COMMITMENT	01-215-000-55100	2,117.50
15200	ROBERT OSBORNE	REIMB MLG & MEALS INVEST WRKSH	01-215-000-55600	281.62
19324	STEVEN SOUTH	MEAL REIMB CLASS GB	01-215-000-55600	9.14
19368	STAGE COACH CAR WASH LLC	50 CAR WASH TOKENS	01-215-000-58550	301.00

INVOICES DUE ON/BEFORE 04/02/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE

GENERAL FUND				
22800	WALMART COMMUNITY	CLEANING SUPPLIES	01-215-000-54999	19.18
CAROW	MELISSA CAROW	REIMB UNIFORM PANTS & HOLSTER	01-215-000-52950	84.34
FIRST	FIRST BANKCARD	REPAIR PAINTBALL GUN	01-215-000-54999	116.75
FIRST		WEBSITE	01-215-000-58999	119.40
FIRST		LDGNG WORKSHOP OSBORNE	01-215-000-55600	240.00
FIRST		LDGNG CONF ALBERTSON	01-215-000-55600	180.00
FIRST		SAFETY STRAP	01-215-000-54999	52.65
FIRST		MAINT PARTS	01-215-000-54999	111.11
FIRST		LDGNG HONOR GURAD 3 OFFICERS	01-215-000-55600	710.00
JENNERJO	DEREK JENNERJOHN	MEAL REIMB 3 EVENTS	01-215-000-55600	139.56
MGL	MGL FITNESS, INC	REPAIR ELLIPTICAL	01-215-000-58999	142.40
WIEGANDM	MICHELLE WIEGAND	REIMB WORK SHOES	01-215-000-52900	66.41
		TOTAL		4,691.06
		TOTAL POLICE DEPARTMENT/PATROL		4,691.06
FIRE DEPARTMENT				
02001	RED THE UNIFORM TAYLOR	HONOR GUARD PATCH DIETMAN	01-250-000-52900	13.83
03075	CARQUEST OF DOOR COUNTY	BATTERY	01-250-000-53000	324.32
04300	KEN DOELL	REIMB UNIFORM SHOES	01-250-000-52900	96.85
04545	DOOR COUNTY COOPERATIVE	HOSE BIB	01-250-000-54999	9.49
04545		OIL DRY	01-250-000-54999	159.00
04975	ECONO FOODS	HAND TOWELING	01-250-000-54999	144.00
13842	MOTOROLA	PAGER REPAIR	01-250-000-57550	78.00
13842		PAGER REPAIR	01-250-000-57550	78.00
19880	STURGEON BAY UTILITIES	SALT SHED	01-250-000-56675	3.56
19880		835 N 14TH AVE	01-250-000-56675	29.00
19880		SUNSET CNTR/NEW CONC	01-250-000-56675	29.00
19880		FRANK GRASSE MEM SHELTER	01-250-000-56675	9.00
19880		OTUMBA PARK	01-250-000-56675	3.56
19880		WEST SIDE WARMING HOUSE	01-250-000-56675	3.56
19880		WEST SIDE FIRE DEPT	01-250-000-56150	113.57
19880		WEST SIDE FIRE DEPT	01-250-000-56675	29.00
19880		WEST SIDE FIRE DEPT	01-250-000-58650	81.30
19880		38 S NEENAH AVE PAVILLION	01-250-000-56675	3.56
19880		38 S NEENAH AVE RESTROOMS	01-250-000-56675	18.00
19880		JC BALLFIELD	01-250-000-56675	9.03
19880		MICH ST BALLFIELD SPRINKLER	01-250-000-56675	29.00
19880		WEST SIDE BALL FIELD LITES	01-250-000-56675	3.56
19880		N 14TH WARNING SIREN	01-250-000-56150	8.24
19880		COVE RD/CANAL RD SIREN	01-250-000-56150	13.77
19880		SUNSET PK STAR PLANT	01-250-000-56675	29.00
19880		CHERRY BLOSSOM PARK	01-250-000-56675	9.00
19880		CLAY BANKS SIREN	01-250-000-56150	14.16
22800	WALMART COMMUNITY	CLR, STAPLER & STAPLES	01-250-000-54999	66.67
23730	WFS	WEST SIDE FIRE	01-250-000-56600	278.40
23897	W.S. DARLEY & CO.	FREIGHT	01-250-000-56250	7.00
23897		CALIBRATION GAS	01-250-000-56250	108.75
23897		CALIBRATION GAS	01-250-000-56250	108.75
BRIDEN	CARL BRIDENHAGEN	SWEATSHIRT	01-250-000-52900	35.00
FIRST	FIRST BANKCARD	INTERIOR LIGHT BAR	01-250-000-53000	219.99
FIRST		SHIPPING	01-250-000-53000	22.08
FIRST		REPL SANDER BACKING PADS	01-250-000-54999	32.08

DATE: 03/27/2013
 TIME: 10:07:02
 ID: AP443000.CST

CITY OF STURGEON BAY
 DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 04/02/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
FIRST		LODGING CHIEFS CONF	01-250-000-55600	70.00
FIRST		MEALS CHIEFS CONF	01-250-000-55600	26.87
PAULCONW	PAUL CONWAY SHIELDS	HELMET SHIELD	01-250-000-56250	24.82
TOTAL				2,342.77
TOTAL FIRE DEPARTMENT				2,342.77
STORM SEWERS				
06012	FASTENAL COMPANY	CBL TIES, FITTING	01-300-000-56250	31.21
TOTAL				31.21
TOTAL STORM SEWERS				31.21
ROADWAYS/STREETS				
04545	DOOR COUNTY COOPERATIVE	ASST NUTS & BOLTS	01-400-000-51400	18.87
14825	NORTHEAST ASPHALT INC	12.49 TONS COLD MIX	01-400-000-52200	943.00
TOTAL				961.87
TOTAL ROADWAYS/STREETS				961.87
SNOW REMOVAL				
03075	CARQUEST OF DOOR COUNTY	BEARING	01-410-000-51400	43.78
04696	DOOR COUNTY TREASURER	441.45 GALLONS SALT BRINE	01-410-000-52400	78.05
06012	FASTENAL COMPANY	5 GALLONS SNOW PLOW WAX	01-410-000-51400	87.30
13150	MASTERCRAFT WELDING SYSTEM	20' FLAT BAR	01-410-000-51400	420.00
13655	MONROE TRUCK EQUIPMENT, INC	3 SALT BRINE TANK STRAPS	01-410-000-51400	26.04
13655		FLOW CONTROL KNOB	01-410-000-51400	26.13
WAUAS	WAUSAU EQUIPMENT CO INC	HYDRAULIC CHECK VALVE	01-410-000-51400	130.83
TOTAL				812.13
TOTAL SNOW REMOVAL				812.13
STREET MACHINERY				
03075	CARQUEST OF DOOR COUNTY	FENDER COVER, AIR FILTER	01-450-000-52150	81.79
03075		HOOD HOLDOWN LATCH	01-450-000-53000	9.02
03075		SOCKET, DRIVE RATCHET	01-450-000-52700	104.80
03075		CLAMP	01-450-000-52150	23.07
03075		RELAY ACCESSORY, CIRCUIT BRKR	01-450-000-52150	18.38
03075		TRK FILTER WRENCH	01-450-000-52700	12.99
03075		OIL FILTER & CLEANER	01-450-000-52150	20.76
04696	DOOR COUNTY TREASURER	02/13 FUEL	01-450-000-51650	18,366.14
06005	FABCO EQUIPMENT INC	SPREADER BAR	01-450-000-53000	239.58
06005		6 END PLATES	01-450-000-53000	139.90
06005		BOLT & WASHER PLATE	01-450-000-53000	13.13

INVOICES DUE ON/BEFORE 04/02/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
06012	FASTENAL COMPANY	SUPPLIES	01-450-000-53000	0.90
15995	PACKER CITY INTERNATIONAL, INC	OIL FILTER & DOOR LIGHT HOLDER	01-450-000-53000	85.74
15995		CLAMPS	01-450-000-53000	21.49
16300	PARTS ASSOCIATES	DEGREASER, PNT PENS, TRMNL	01-450-000-53000	213.86
19965	SUPERIOR SIGNALS INC	CAB MOUNT & STROBE LIGHT	01-450-000-53000	92.98
TOTAL				19,444.53
TOTAL STREET MACHINERY				19,444.53
CITY GARAGE				
01469	AIRGAS NORTH CENTRAL	CYLINDER LEASE RENEWAL	01-460-000-58999	450.00
06012	FASTENAL COMPANY	CLAMPS	01-460-000-52700	104.76
06012		DRILL BIT	01-460-000-52700	24.31
18950	SAFETY-KLEEN CORP	SERVICE PARTS WASHER	01-460-000-58999	221.96
19880	STURGEON BAY UTILITIES	SALT SHED	01-460-000-56150	8.24
19880		835 N 14TH AVE	01-460-000-56150	818.72
19880		835 N 14TH AVE	01-460-000-58650	190.10
23730	WPS	835 N 14TH AVE	01-460-000-56600	2,095.97
25900	ZOERBS PAINT	1 GALLON PAINT	01-460-000-55300	26.57
WARNER	WARNER-WEXEL WHOLESALE &	6 CASES TRI FOLD TOWELS	01-460-000-54999	157.68
WARNER		4 BOXES ROLL TOWELS	01-460-000-54999	95.12
TOTAL				4,193.43
TOTAL CITY GARAGE				4,193.43
CELEBRATION & ENTERTAINMENT				
25900	ZOERBS PAINT	3 GALLONS PAINT	01-480-000-52100	111.85
TOTAL				111.85
TOTAL CELEBRATION & ENTERTAINMENT				111.85
HIGHWAYS - GENERAL				
19880	STURGEON BAY UTILITIES	TRFC WARNING LIGHT ELM & CTY C	01-499-000-58000	2.90
TOTAL				2.90
TOTAL HIGHWAYS - GENERAL				2.90
PARKS AND PLAYGROUNDS				
01766	AURORA MEDICAL GROUP	PRE EMPL SCREEN ABEYTA	01-510-000-57100	92.00
01766		PRE EMPL SCREEN GIESSEMAN	01-510-000-57100	92.00
01766		PRE EMPL SCREEN KRAUSE	01-510-000-57100	92.00
01766		PRE EMPL SCREEN COLE NEBEL	01-510-000-57100	92.00
03075	CARQUEST OF DOOR COUNTY	AIR, OIL & FUEL FILTERS	01-510-000-52050	22.78
12100	LAMPERT YARDS INC	TREATED LUMBER PICNIC TABLES	01-510-000-51800	52.77

INVOICES DUE ON/BEFORE 04/02/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
19880	STURGEON BAY UTILITIES	DUCK POND	01-510-000-58650	3.56
19880		SUNSET CNTR/NEW CONC	01-510-000-56150	81.92
19880		SUNSET CNTR/NEW CONC	01-510-000-58650	48.40
19880		FRANK GRASSE MEM SHELTER	01-510-000-56150	33.92
19880		OTUMBA PARK	01-510-000-56150	8.24
19880		WEST SIDE WARMING HOUSE	01-510-000-56150	15.15
19880		JC BALLFIELD	01-510-000-56150	8.24
19880		OTUMBA PARK WALKWAY LIGHTS	01-510-000-56150	44.59
19880		OTUMBA PARK STREET LIGHTS	01-510-000-56150	143.36
19880		FLORIDA ST/SUNSET PK	01-510-000-56150	14.27
19880		SIGN SHED	01-510-000-56150	19.60
19880		CHERRY BLOSSOM PARK	01-510-000-56150	8.24
23730	WPS	MEMORIAL FIELD	01-510-000-56600	262.72
25900	ZOERBS PAINT	QUART OF PAINT	01-510-000-52100	6.25
WARNER	WARNER-WEXEL WHOLESALE &	PARKS CLEANING SUPPLIES	01-510-000-51850	40.00
TOTAL				1,182.01
TOTAL PARKS AND PLAYGROUNDS				1,182.01
MUNICIPAL DOCKS				
19880	STURGEON BAY UTILITIES	36 S NEENAH AVE PKG LOT LIGHTS	01-550-000-56150	115.97
19880		38 S NEENAH AVE PAVILLION	01-550-000-56150	10.22
19880		38 S NEENAH AVE RESTROOMS	01-550-000-56150	97.18
23730	WPS	36 S NEENAH AVE RESTROOMS	01-550-000-56600	6.44
TOTAL				229.81
TOTAL MUNICIPAL DOCKS				229.81
WATERFRONT PARKS & WALKWAYS				
19880	STURGEON BAY UTILITIES	DUCK POND	01-570-000-56150	3.56
19880		DCMM WALKWAY LIGHTS	01-570-000-56150	32.25
19880		DCMM PARKING LOT LIGHTS	01-570-000-56150	175.33
TOTAL				211.14
TOTAL WATERFRONT PARKS & WALKWAYS				211.14
COMMUNITY & ECONOMIC DEVLPMT				
04549	DOOR COUNTY ECONOMIC DEVELOPME	2013 2ND QTR ADMIN CITY PRGRMS	01-900-000-55750	6,250.00
04549		2013 2ND QTR COMMITMENT	01-900-000-55750	4,660.00
TOTAL				10,910.00
TOTAL COMMUNITY & ECONOMIC DEVLPMT				10,910.00
TOTAL GENERAL FUND				54,163.61

DATE: 03/27/2013
TIME: 10:07:03
ID: AP443000.CST

CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 04/02/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
CAPITAL FUND				
PATROL				
FIRST	FIRST BANKCARD	HAND HELD METAL DETECTOR	10-215-000-59999	1,649.91
TOTAL				1,649.91
TOTAL PATROL				1,649.91
TOTAL CAPITAL FUND				1,649.91
CABLE TV				
CABLE TV / GENERAL				
CABLE TV / GENERAL				
MANN	MANN COMMUNICATIONS, LLC	04/02/13 CONTRACT	21-000-000-55015	4,390.00
TOTAL CABLE TV / GENERAL				4,390.00
TOTAL CABLE TV / GENERAL				4,390.00
TOTAL CABLE TV				4,390.00
TID #2 DISTRICT				
TID DISTRICT #2				
16555	PINKERT LAW FIRM, LLP	T2	25-320-000-59900	299.00
TOTAL				299.00
TOTAL TID DISTRICT #2				299.00
TOTAL TID #2 DISTRICT				299.00
SOLID WASTE ENTERPRISE				
SOLID WASTE ENTERPRISE FUND				
SOLID WASTE ENTERPRISE FUND				
04696	DOOR COUNTY TREASURER	02/13 DIESEL	60-000-000-51650	3,128.87
R0000655	TRANSMOTION, LLC	2 SWIVEL NUT HYD FTGS	60-000-000-53000	10.78
TOTAL SOLID WASTE ENTERPRISE FUND				3,139.65
TOTAL SOLID WASTE ENTERPRISE FUND				3,139.65
TOTAL SOLID WASTE ENTERPRISE				3,139.65
TOTAL ALL FUNDS				63,642.17

MANUAL CHECKS

Benefit Advantage 03/08/13 Check #72245 Cobra fees 01-600-000-50510	\$ 25.00
BP Amoco 03/14/13 Check #72249 Out of town fuel 01-215-000-56150 01-115-000-55600	\$ 318.62
Minnesota Life Ins 03/14/13 Check #72251 Life insurance 01-600-000-50552	\$ 1,682.53
Northeast Photocopy 03/14/13 Check #72251 Old copier maintenance 01-200-000-55650	\$ 560.74
Sirche Finger Print Labs 03/14/13 Check #72252 Evidence supplies 01-225-000-57950	\$ 164.51

TOTAL MANUAL CHECKS

\$ 2,751.40

DATE: 03/27/2013
TIME: 10:07:03
ID: AP443000.CST

CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 04/02/2013

VENDOR # NAME ITEM DESCRIPTION ACCOUNT # AMOUNT DUE

SUMMARY OF FUNDS:

GENERAL FUND	54,163.61	56,915.01
CAPITAL FUND	1,649.91	
CABLE TV	4,390.00	
TID #2 DISTRICT	299.00	
SOLID WASTE ENTERPRISE	3,139.65	
TOTAL --- ALL FUNDS	63,642.17	66,393.57

COMMON COUNCIL
March 19, 2013

A meeting of the Common Council was called to order at 7:00 p.m. by Mayor Birmingham. The Pledge of Allegiance was recited. Roll call: Ald. Wiegand, Lodi, Wiesner, Stutting, Fett, and Schlicht present. Vandertie were excused.

Wiesner/Stutting to adopt agenda. Carried.

Stutting/Fett to approve bills: General Fund – \$268,919.03, Capital Fund - \$12,388.50, Cable TV - \$133.27, TID #2 - \$440,854.87, and Solid Waste Enterprise - \$10,087.08 for grand total of \$732,382.75. Roll call: All voted aye. Carried.

Fett/Wiesner to approve consent agenda:

- a. Approval of 2/28/13 special and 3/5/13 regular Common Council minutes.
- b. Approval of following minutes:
 - (1) Parking & Traffic Committee – 2/18/13
 - (2) Finance/Purchasing & Building Committee – 2/26/13
 - (3) Harbor Commission – 2/27/13
 - (4) Bicycle and Pedestrian Advisory Board – 3/7/13
- c. Place the following reports on file:
 - (1) Fire Department Report – February 2013
 - (2) Inspection Department Report – February 2013
 - (3) Police Department Report – February 2013
- d. Consideration of: Beverage Operator licenses.
- e. Consideration of: Street Closure Application for CJ Promotions.
- f. Consideration of: Approval of request to extend Planned Unit Development for one-year for Deer Run Phase 1.
- g. Parking & Traffic Committee recommendation re: Waive winter parking permit fee for 523 North 4th Avenue.
- h. Parking & Traffic Committee recommendation re: Waive winter parking permit fee for 525 West Maple Street.

Carried.

There were no mayoral appointments.

Fett/Schlicht to read in title only and adopt for the second reading of the ordinance to repeal and recreate Section 9.04 of the Municipal Code – Hunting Permit. Carried.

Fett/Wiesner to read in title only and adopt for the second reading of the ordinance to create Section 10.065 of the Municipal Code – Misuse of 911. Carried.

Wiegand/Schlicht to read in title only and adopt for the second reading of the ordinance regarding official zoning classification of Single-Family Residential for property located on N. Columbia Avenue. Carried.

Wiegand/Stutting to adopt the resolution re: amending Project Plan and District Boundaries (Territory Subtraction) of Tax Incremental District No. 2 of the City of Sturgeon Bay. Carried.

Wiegand/Schlicht to adopt the resolution re: Approve Boundaries of Tax Incremental District No. 4 and Approving Project Plan of Tax Incremental District No. 4. Carried.

RECOMMENDATION

We, the Finance/Purchasing & Building Committee, hereby recommend to approve the amendment to the City of Sturgeon Bay Purchasing Policy to renew service contracts without being put out for competitive bid, and include a contract limitation not to exceed \$75,000 per year.

FINANCE/PURCHASING & BUILDING COMMITTEE

By: Joseph Stutting, Chr.

Introduced by Stutting. Stutting/Fett to adopt. It was noted that the current threshold is \$25,000 for public works. Roll call: All voted aye. Carried.

RECOMMENDATION

We, the Harbor Commission, hereby recommend to approve the following Three Year Harbor Development Statement of Intentions for the years 2013 through 2015:

- Year 2013 – Medium Priority – Stone Harbor Docking Improvements
- Year 2014 – High Priority – New Improvements for Tugboat Fleet
- Year 2015 – High Priority – Festival Pier
- Year 2015 – Low Priority – Develop and Improve Sheet Piling around Railroad spur.

HARBOR COMMISSION

By: Gary Nault, Chr.

Wiegand/Fett to adopt. Carried.

RECOMMENDATION

We, the Finance/Purchasing & Building Committee, hereby recommend to increase compensation for alderpersons from \$540 to \$600 per month effective after the spring election in April of 2013.

FINANCE/PURCHASING & BUILDING COMMITTEE

By: Joseph Stutting, Chr.

Introduced by Stutting. Stutting/Schlicht to adopt. Discussion took place regarding whether this should be acted on now or budget time, where the money would come from, statutory rules regarding elected officials salary changes. Roll call: Wiegand and Schlicht voted aye. Lodi, Wiesner, Stutting, and Fett voted no. Motion fails.

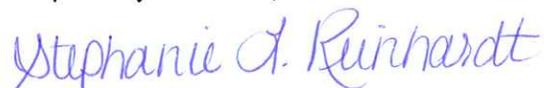
Parking & Traffic Committee Chair Schlicht, Community Protection & Services Committee Chair Fett, and Sturgeon Bay Utility Commission member Fett gave committee reports.

No one spoke during public comment.

The Mayor made his comments.

Stutting/Fett to adjourn. Carried. The meeting adjourned at 7:59 p.m.

Respectfully submitted,



Stephanie L. Reinhardt
City Clerk

STURGEON BAY UTILITIES

Regular Meeting
February 12th, 2013

President Stewart Fett called the regular meeting of the Utilities Commission to order at 12:02 p.m. at the Sturgeon Bay Utilities office. Roll call: President Stewart Fett, Vice-President Gary DeNamur, Mayor Thad Birmingham and Commissioners Matt Felhofer, Cindy Weber and Dan Wiegand were present. Secretary Robert Schlicht was excused. Also present were General Manager James Stawicki, Operations Manager Cliff White, Electric Supervisor Jason Bieri and Recording Secretary Kelly LaLuzerne.

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

DeNamur/Weber to approve the minutes of the regular meeting held on January 8th, 2013. Motion carried.

The Commission proceeded to review the bills for January in the amount of \$1,700,296.95. Fett/DeNamur to approve payment of the bills. Motion carried.

The December 2012 financials were presented. Weber/Felhofer to accept the financials subject to audit. Motion carried.

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

A memo from General Manager Stawicki regarding the proposed write-offs was presented for consideration. Wiegand/Birmingham to approve the write-offs in the amount of \$19,999.75. Motion carried.

Consideration of proposal for assessment and rehabilitation of manholes was next on the agenda. In 2012, Strand Associates, Inc was commissioned to conduct a standardized condition assessment of the 520 sanitary manholes positioned on the west side of the bay. As reported at the September 11th, 2012 Commission meeting, 32 of the assessed manholes were found to be in poor or very bad condition. Staff requested and received a proposal from Strand Associates to prepare bidding and technical documents for the manhole rehabilitations and monitor and assess construction activities for compliance with the manhole rehabilitation bidding documents and specifications. In addition, Strand Associates will provide a comprehensive report on the condition of approximately 410 of the manholes located east of the bay. Staff recommends approval of the proposal to provide professional engineering services for the manhole assessment program in the amount of \$24,500 and manhole rehabilitation services in the amount of \$41,000, totaling \$65,500. Wiegand/Weber to approve the proposal to Strand Associates, Inc in the amount of \$65,500. Motion carried.

The Operations Report was presented by OM White. Weber/Birmingham to accept the Operations Report for January. Motion carried.

Melissa Moren presented the Commission with SBU's energy services action plan for 2013. Ms. Moren updated the Commissioners with information pertaining to CTC programs and expenditure plans, provided a summary of funds to be carried forward from prior years' programs and the plans for disbursement of those funds.

Next were Council member's updates on issues. President Fett did not have any items to discuss nor did anyone else from the City Council.

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

- a. Adjustments for the month

- b. Update on projects
 - 1) Linemen interviews
 - 2) Meeting schedule – no change in date/time for March meeting

Birmingham/Felhofer to adjourn. Motion carried. The meeting adjourned at 12:57 p.m.

Robert Schlicht
Secretary

Approved for publication:

Stewart Fett
President

James Stawicki
General Manager

Date: _____

Date: _____

FINANCE/PURCHASING & BUILDING COMMITTEE
March 12, 2013

A meeting of the Finance/Purchasing & Building Committee was called to order at 7:00 p.m. by Chairperson Stutting in Council Chambers, City Hall. Roll call: Alderperson Stutting, Alderperson Wiegand and Alderperson Schlicht were present. Also present: Alderperson Fett, City Administrator McNeil, Finance Director/City Treasurer Clarizio, Public Works/Park and Recreation Superintendent Bordeau and Office/Accounting Assistant II Flinn.

Moved by Alderperson Schlicht, seconded by Alderperson Wiegand to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Consideration of: Request from LaVine's Ice Company, LLC for a refund of a portion of their 2012 Personal Property taxes.
4. Consideration of: Purchase of two 2013 zero turn mowers.
5. Consideration of: Alderperson compensation.
6. Review of unfinished business list.
7. Review bills.

Carried.

The Committee briefly discussed the request from LaVine's Ice Company, LLC for a refund of a portion of their 2012 Personal Property taxes. Moved by Alderperson Wiegand, seconded by Alderperson Schlicht to recommend to the Common Council to refund LaVine's Ice Company, LLC \$1,785.32 for overpayment of their 2012 personal property taxes. Carried.

Purchase of two 2013 zero turn mowers was then discussed. Public Works/Park and Recreation Superintendent Bordeau presented the following bids:

<u>Bidder</u>	<u>Price</u>	<u>Option</u> (bagger)	<u>Trade-In</u>	<u>Total</u>
May's Sport Center	\$19,356	\$2,694	\$7,200	\$17,544
Service Motor Co, Inc	\$19,500	\$4,500	\$6,500	\$17,500
Weyers Equipment	\$19,548	\$5,352	\$5,000	\$19,900

He added that May's Sport Center was not the lowest bidder. However, the lowest bidder did not meet all the specs. Moved by Alderperson Wiegand, seconded by Alderperson Schlicht to recommend to the Common Council to accept the bid from May's Sport Center for two zero turn mowers with bagger units in the amount of \$17,544. Carried.

Aldersperson Schlicht led the discussion on the aldersperson compensation. He stated that when the compensation was adjusted in the fall of 2010 it was because of the scare from the State. When that budget process began, the City Administrator asked for recommendations from the Council for possible cuts in the budget. One suggestion was a cut in aldersperson compensation. The compensation was reduced by 10% but if there were funds available elsewhere then the cut wouldn't be done. He added that later there was discussion that this would be a great example for staff and other personnel for other cuts that might be required. Moved by Aldersperson Schlicht, seconded by Aldersperson Wiegand to recommend to the Common to increase compensation for alderspersons from \$540 to \$600 per month effective after the spring election in April of 2013. He continued that if this increase is not done now it will not take effect for another two plus years. Aldersperson Wiegand commented that six years ago there was an increase to \$600 a month. However, he was not in office during that time. With the retirements that have occurred there are funds available for the increase of the aldersperson compensation at the present time.

Aldersperson Stutting commented that he would support the increase. However, the fast tracking would look like we are doing this to increase our own compensation. He would only support this if the majority of the alderspersons supported it. Aldersperson Schlicht added that there has never been a reduction to any employee compensation at the City. Aldersperson Fett asked why this is being brought up so soon after the budget process. He is not in favor of this and feels that this should have been taken care of during the budget process. Motion carried with Aldersperson Stutting voting no.

The Committee reviewed the unfinished business list.

Moved by Aldersperson Wiegand, seconded by Aldersperson Schlicht to accept the bills as presented and forward to the Common Council for payment. Carried.

Moved by Aldersperson Schlicht, seconded by Aldersperson Stutting to adjourn. Carried. The meeting adjourned at 7:21 p.m.

Respectfully submitted,



Dixie Flinn

Office/Accounting Assistant II

COMMUNITY PROTECTION & SERVICES COMMITTEE
March 14, 2013

A meeting of the Community Protection & Services Committee was called to order at 6:00 p.m. by Chairperson Fett in Council Chambers, City Hall. Roll call: Members Fett, Wiesner and Schlicht were present. Also present: Mayor Birmingham, Alderperson Stutting, Jason Mann of Mann Communications, LLC, City Administrator McNeil, Finance Director/City Treasurer Clarizio, Fire Chief Herlache, Assistant Fire Chief Dietman, Municipal Services Superintendent Bordeau, Police Chief Porter, Police Captain Brinkman, Patrol Sergeant Hougaard and Office/Accounting Assistant I Spittlemeister.

Moved by Mr. Schlicht, seconded by Mr. Wiesner to adopt the following amended agenda:

1. Roll call.
2. Adoption of agenda.
3. Consideration of: Installation of streetlight at 1117 South 19th Avenue.
4. Consideration of: Installation of streetlight by alley on Oak Street, Pole #10G-9-4-8.
5. Consideration of: Section 12.015 and 12.016 of the Municipal Code – Garbage and Recycling Collection.
6. Consideration of: Section 17.05 of the Municipal Code – Licenses.
7. *Discussion of:* *Agreement Between the Wisconsin Department of Transportation & the City of Sturgeon Bay Police Department, Contract No. 1 for the 2013 Transportation Management Plan for STH 42/57 – Bayview Bridge.*
8. Consideration of: Cable TV bill approval process.
9. Unfinished business list.
10. Adjourn.

Carried.

Consideration of: Installation of streetlight at 1117 South 19th Avenue:

Mr. Fett explained this item was brought forward to Community Protection & Services Committee by Alderperson Lodi. Sturgeon Bay Utilities stated that the installation of this streetlight is not necessary for the four homes that it would benefit, nor does it fall within the criteria provided. The estimated cost to install the streetlight would be \$3,000.00 to \$5,000.00. Committee members, along with the Police and Fire Departments, concurred with Sturgeon Bay Utilities. No action was taken.

Consideration of: Installation of streetlight by alley on Oak Street, Pole #10G-9-4-8:

Mr. Fett stated residents in this area felt unsafe due to a few rental residents in the area. Since the pole is still there, it would not cost the City a great deal to install the streetlight. Moved by Mr. Fett, seconded by Mr. Schlicht to recommend to Common Council to install streetlight by alley on Oak Street, Pole #10G-9-4-8.

Mr. Wiesner was concerned that installing this streetlight would bring precedence to reinstall additional streetlights throughout the City. Mr. Fett commented that the installation of this streetlight was more of a safety issue.

Alderperson Stutting stated that this streetlight is located in his district. It was removed last year since it did not meet the criteria provided. With all rental properties, permanent residents are

unsure who their neighbors will be at any given time. Mr. Fett would support removing the streetlight if the situation changed.

A vote was taken on the motion. Mr. Fett and Mr. Schlicht voted aye. Mr. Wiesner voted no. Carried.

Consideration of: Section 12.015 and 12.016 of the Municipal Code – Garbage and Recycling Collection:

Municipal Services Superintendent Bordeau explained that this ordinance is in the process of being "cleaned up". Moved by Mr. Schlicht, seconded by Mr. Wiesner to recommend to Common Council to repeal and recreate Section 12.015 and 12.016 of the City of Sturgeon Bay Municipal Code to read as follows:

12.015 Garbage and refuse collection.

(1) Definitions.

City. The municipal corporate entity known as the City of Sturgeon Bay, including employees, and any private entity, including employees, contracted by the city for the purpose of collecting garbage and recyclable material.

~~Collection point.~~ ~~The location at or near the edge of the road or curbing that is approved by the director of public works.~~ **Carts shall be placed on the driveway apron or on the grassy area immediately adjacent to the curb. The garbage cart shall be placed with the opening facing the street or curb, and separated at least three feet apart. Avoid placing carts within three (3) feet of mail boxes, trees, posts, vehicles or other items. Vehicle parking must not hinder access to the carts. During winter months, garbage carts shall not be placed on top of the snow bank, nor shall it be placed in the roadway unless, approved in writing by the Municipal Services Superintendent.**

Commercial garbage. The waste of animal, fruit and vegetable matter which results from the preparation of food in hotels, clubs, restaurants, schools, multi-family residential structures or other commercial establishments or which results from the handling of food material at markets, commission houses, butcher shops and similar establishments.

Commercial rubbish. All matter, such as, wire or metal of any kind, glass, china, crockery, contaminated paper, cloth, earth, wood, ashes, and other materials similar in nature, but not otherwise defined as a recyclable item, deposited for collection by establishments other than private detached single-family residential structures.

Hazardous waste. Waste which is from time to time so determined, by either the Wisconsin Department of Natural Resources or the U.S. Environmental Protection Agency.

Industrial waste. All refuse, rubbish, garbage and unusable by-products of any manufacturing or industrial operation, that are not recyclable.

Large item trash or junk. Means, but is not limited to, items such as trees, tree stumps, large tree limbs, large pieces of furniture, stoves, refrigerators and other appliances, large amounts of construction or remodeling debris, cement, stones, bricks, and other materials that exceed the limits of our collection ordinance because of size or weight and therefore not collected as part of our normal refuse collection route.

Garbage cart. One 64 or 96 gallon "GARBAGE" cart furnished by the city. The cart is and shall remain the property of the city and shall remain at the dwelling to which it is issued. In the event it is lost, stolen or missing, the city may at its option, sell a replacement and recoup the cost. One cart will be furnished by the city at the start of the new automated program and for new homes constructed after the start of the program implementation date.

Residential garbage. The waste of animal, fruit and vegetable matter which results from the preparation of food in residential houses and kitchens. **Miscellaneous waste material, excluding recyclables, including but not limited to discarded material resulting from handling, processing, storing, or consumption of food, metals, rubber, wood, cloth, and litter. Garbage shall specifically exclude hazardous, offensive, noxious or toxic wastes, refuse, construction debris, yard and garden waste, and brush.**

Residential rubbish. All refuse matter, such as wire or metal of any kind, glass, china, crockery, contaminated paper, cloth, earth, ashes, and other materials similar in nature, but not otherwise defined as recyclable items, that are deposited for collection by occupants of a private residence.

Residential equivalent unit. A single-family dwelling and each family unit located within multiple-family buildings such as dual-family dwellings (duplexes), townhouses and apartments. Commercial, retail, school or industrial uses generating 96 or fewer gallons of garbage per week are also defined as a residential equivalent unit.

(2) Preparation

- (a) All garbage shall be disposed of in accordance with the provisions of this section, drained of excess water or other fluids, ~~securely wrapped and deposited in animal and weather proof containers.~~ **secured in a plastic garbage bag and deposited into the 64 or 96 gallon garbage cart provided by or purchased from the city.**
- (b) All rubbish shall be disposed of in accordance with the provision of this section, and containerized, bundled, packaged or otherwise secured as to maximize efficient handling and prevent water or wind damage.
- (c) The patron at the site of collection shall separate, rubbish and garbage from all items that are defined as recyclable by section 12.016.
- (d) No container, bundle or other single unit of garbage or rubbish **that does not fit within the city provided cart will be collected.** ~~shall exceed 50 pounds in weight, 32 gallons in capacity, and no single item shall be larger than 30 inches in any dimension to be collected on the regular~~

~~collection day. Containers shall be watertight, equipped with functional handles and shall be maintained free of cuts and sharp edges that could injure a person doing the collections. Items that exceed these limits will be tagged and left at the curb. The property owner shall properly store these items within 12 hours and until it is altered to allow collection in the future or otherwise properly disposed of. The only exception to these requirements is that the city may allow larger and heavier containers, purchased from the city, that are compatible with the automated tipping system and approved by the city prior the first date of use. The only exception, with approval of the city prior to the first date of use, is that the city may allow an additional cart to be purchased from the City of Sturgeon Bay that is compatible with the automated tipping system. Use of an additional garbage cart will require payment of an additional monthly refuse fee equal to a residential equivalent unit.~~

(3) *Storage and collection.*

- (a) No patron owning or occupying any premises shall permit any garbage, refuse, rubbish or waste to accumulate upon such premises that is not stored in a sanitary manner approved by applicable health regulations. ~~Storage containers shall be watertight, neatly organized and prevent animals from foraging through the garbage.~~
- (b) The owner or occupier of all premises upon which garbage, refuse, rubbish or waste is accumulated or stored shall remove or cause to be removed and disposed of all such materials from such premises ~~at least once each seven days.~~
- (c) ~~Any container, receptacle, bundle or other unit of garbage, refuse, rubbish or waste~~ **The 64 or 96 gallon garbage cart shall not be placed for collection no later than 7:00 a.m. on the day of collection and no more than 12 hours prior to collection date and shall be removed within 12 hours of that date. If the collection day falls on a holiday, the collection will be on the first working day (Monday through Friday) after the holiday, and each collection route thereafter shall also be delayed one day for the remainder of that week.**
- (d) ~~Four 32 gallon containers, or~~ One approved **64 or 96 gallon "GARBAGE" cart** or the equivalent thereof is the maximum amount of garbage, refuse, rubbish and waste that may be set out for one week's collection at any residential equivalent collection point.
- (e) ~~The garbage refuse, rubbish, waste~~ **cart** shall be placed for collection at a point at or near the public street abutting or servicing the premises generating such garbage, refuse, rubbish, waste or at a point of location to be designated by the director of Municipal Services **Superintendent**. Collection points shall be maintained to allow safe access for the collection of all materials. If safe access is not available, items will not be collected until access is made available. **Vehicle parking must not hinder access to the carts.**

- (f) The city will not come upon private property for the collection of garbage, refuse, rubbish or waste. Developments that have previously received approval for the collection from private property will continue to receive this service provided that the ~~director—of Municipal Services~~ **Superintendent** approves the accessibility to the garbage, refuse, rubbish or waste collection point and the ability of the refuse collection truck and personnel to maneuver. The determination of accessibility is to be made exclusively by the ~~director—of Municipal Services~~ **Superintendent.** ~~city engineer.~~ Hold harmless agreement approved by the city attorney shall be executed for private property owners prior to entering upon private property for collection.
- (g) No flammable liquid material, hot ashes or hazardous waste (**examples: oil based paint, stain, varnish, fertilizer, insect killer, weed killer**) shall be prepared and set out for collection.
- (h) No person shall deposit, throw or place any garbage, refuse, rubbish or waste on or within any public street, alley, park, sidewalk or other public place or on any private property within the city, whether owned, kept or controlled by such person, except and unless placed in containers or receptacles. ~~or securely bundled as provided herein.~~
- (i) No person shall place any garbage, refuse, or waste, for collection and disposal if the garbage, refuse, or waste was not generated in the city.

12.016 Recyclable material collection.

(4) Definitions.

~~City of Sturgeon Bay.~~ The municipal corporate entity known as the City of Sturgeon Bay, including employees, and any private entity, including employees, contracted by the city for the purpose of collecting recyclable material.

Collection point. Cart shall be placed on the driveway apron or on the grassy area immediately adjacent to the curb. The recycling cart shall be placed with the opening facing the street or curb, and separated at least three feet apart. Avoid placing carts within three (3) feet of mail boxes, trees, posts, vehicles or other items. Vehicle parking must not hinder access to the carts. During winter months, the recycling cart shall not be placed on top of the snow bank, nor shall they be placed in the roadway unless, approved in writing by the Municipal Services Superintendent.

~~Recycling bins carts.~~ Blue tinted plastic rectangular containers 14 and 18 gallon in size, embossed with the City of Sturgeon Bay logo, shall be the medium for packaging commingled recyclable material for collection. ~~One bin will be furnished by the city. Bins are and shall remain the property of the city and shall remain at the dwelling to which it is issued. In the event of lost, stolen or missing bins the city may at its option sell or issue replacement bin and recoup the cost at the point of sale. An additional bin may be purchased to provide for more commingled recyclable mater or for recycled paper collection. Paper must be put~~

~~in paper grocery bags or bundled with string but can be placed in a bin to protect it from the weather.~~

Recycling cart. One 64 or 96 gallon single stream cart- this means that two recycling “streams” –mixed recyclable newspaper, periodicals, office paper, cardboard, tin, steel and bimetal cans, aluminum cans, plastic containers (types 1 through 7), and clear, green and brown glass shall be placed in the 64 or 96 gallon “RECYCABLES” cart. One cart will be furnished by the city at the start of the new automated program and for new homes constructed after the start of the program implementation date. The cart is and shall remain the property of the city and shall remain at the dwelling to which it is issued. In the event it is lost, stolen or missing, the city may at its option, sell a replacement and recoup the cost.

Recyclable material. Recyclable material is defined as:

1. *Newspaper.* All matter printed on newsprint, including newspapers as delivered with advertising circulars and coupon sections.
2. *Periodicals.* All glossy periodicals.
3. *Corrugated cardboard and paperboard.* Box material, such as packing boxes, cereal, cake mix and other similar materials.
4. *Tin, steel and bimetal cans.* Food and beverage cans only.
5. *Aluminum cans.* Aluminum beverage or food containers only.
6. *Plastic containers (types 1,2,3,4,5, 6,7).* Plastic bottles and jugs bearing the number “1”, “2”, “3”, “4”, “5”, “6” or “7” inside the recycling symbol.
7. *Glass containers.* ~~Colorless, green and brown.~~ Clear and colored bottles and jars from food and beverage products only. This does not include tempered glass from windows or glass cook ware.
8. *Office paper.* White and colored paper including envelopes, junk mail, computer, stationery and other bond paper or other similar material that does not have personal identification for security reasons.
9. ~~*Yard waste.* Leaves, grass clippings, garden debris and brush, including cleaned woody vegetative material no greater than six inches in diameter that can be composted or shredded into mulch. This term does not include stumps, roots or shrubs with intact root balls.~~

Residential equivalent unit. A single-family dwelling and each family unit located within multiple-family buildings such as dual-family dwellings (duplexes), townhouses and apartments. Commercial, retail, school and industrial entity generating ~~36~~ **64 or 96** gallons of commingled “single stream” recyclable material

or recyclable paper during a two one week period, may also be a residential equivalent unit.

~~(2) Effective date. This section shall become effective on July 1, 1992.~~

(2) *Source separation of commingled recyclable material, recyclable paper and non-recyclable garbage required.*

(a) On or after the effective revised date of this section, each residential unit shall separate recyclable material and non-recyclable garbage at the residential unit. ~~into two categories as follows: paper products and all other recyclable material as defined above.~~

~~(b) Paper products shall be securely bound with heavy string or twine, placed in paper grocery bags, or otherwise secured in such a manner as to be substantially dry when picked up.~~ **All recyclables shall be deposited in one 64 or 96 single stream cart- mixed paper, cardboard and commingled recyclables (aluminum, tin, plastic, glass).** Cans, plastic and glass containers shall be rinsed and substantially clean before placing in the recycling bin ~~cart~~. Recyclable material that is capable of being flattened, **should be** (plastic, aluminum and metal containers). Cardboard and paperboard boxes shall be flattened and ~~cut to 30" x 30" or less when fit inside of the 64 or 96 gallon recycling cart~~ when set out for the recyclable pickup. Additional specific instructions that may be issued by the city or its contracted agent shall be incorporated into this section by reference.

(c) The recyclable material to be collected by the city is limited to that material generated by each residential unit subject to this section. The recyclable material shall be set aside for separate pickup as recyclable material **must be sorted from the garbage and placed in the recycling cart for collection on the same day as your garbage collection.**

(d) This section does not in any way prohibit any person or entity from properly selling or disposing of recyclable material on his/her own initiative at his/her own expense. Consignment of recyclable material to or in a landfill does not constitute a proper disposal of recyclable material.

(3) *Recyclable material collection schedule.* The recyclable material collection shall be every week on the same day as the normally scheduled refuse and garbage collection by the city and at the same pickup location used by the city, ~~except that recyclable paper shall be collected one week and commingled material collected the next. These two materials shall continuously alternate each week thereafter.~~ Recyclable material shall be placed for collection no later than 7:00 a.m. on the day of collection and no earlier than 12 hours prior to the date of collection. If the collection day falls on a holiday, the collection will be on the first working day (Monday through Friday) after the holiday, and each collection route thereafter shall also be delayed one day for the remainder of that week. **The emptied bins cart shall**

be removed from the street right of way and properly stored within 12 hours **after** collection.

- (4) *Improperly prepared recyclable material.* The city may refuse to pick up recyclable material that is not properly prepared or packaged or which otherwise does not comply with the requirements of this section. ~~This includes paper products that are allowed to become wet.~~ **No person shall place any recyclables for collection and disposal if the recyclables were not generated in the city.** The city may also refuse to pick up recyclable material that is reasonably believed to have not been generated by the residential unit placing the material out for collection. If the city refuses to pick up material set out as recyclable material, the city's agents will tag the material with an information tag that will indicate why the material is not being collected so that the residential unit will be able to take corrective action for future pickups.
- (5) *Collection of recyclable material by unauthorized persons.* When recyclable material is set out for collection in accordance with this section, the recyclable material shall become the property of the city and its authorized agents and employees. No person or entity not employed by or contracted by the city for the purpose of collecting recyclable material shall collect or otherwise take any recyclable material from the place where it is set out for collection. Each separate collection or taking of recyclable material in violation of this section shall constitute a separate offense and shall be subject to the penalty prescribed by section 25.04 of this Municipal Code.
- (6) *Yard waste.* All-Yard waste **may not be placed in the garbage or recycling carts.** All yard waste shall be either mulched and worked into the yard or transported by the person or their approved agent generating the yard waste to the city compost site for deposit in the public compost site maintained by the city in accordance with such regulations of the city as are approved and posted at the compost site.
- (7) *Effect of inconsistency with section 12.015.* This section is intended to supersede and replace section 12.015 of this chapter as to the collection of recyclable material only and any portions of section 12.015 that are inconsistent with this section as to recyclable material are repealed and replaced by this section.

Carried.

Consideration of: Section 17.05 of the Municipal Code – Licenses:

Mr. Fett explained that whether or not this committee takes action on this item, the State of Wisconsin Statutes are changing with the effective date of April 1, 2013. Chief Herlache commented that if someone were to read the City of Sturgeon Bay ordinances on licenses, they would think that they would need to obtain an electrical license to preform work within the city limits. It would be beneficial to rewrite the ordinance and refer people to the state statutes.

Moved by Mr. Schlicht, seconded by Mr. Wiesner to recommend to Common Council to repeal and recreate Section 17.05 of the City of Sturgeon Bay Municipal code to read as follows:

17.05 Licenses

(1) *Required.* No person, either individually, as a member of a firm or as an officer or employee of a corporation, shall conduct the business of electrical wiring, electrical construction or contracting unless such person shall have a license, registration, or certification as required by this chapter section 101.862 of the Wisconsin Statutes.

~~(2) *Electrical licenses.*~~

- ~~(a) — *Contractor's license.* Before entering into a contract with a second party, firm, corporation or partnership to install, alter or repair any electrical wiring, fixtures, devices or equipment, and all electrical work as defined in section 17.02, such person shall be licensed as an electrical contractor by the city upon being found competent as to that person's technical qualifications and financial responsibilities. A contractor shall, with application for license or renewal thereof, file a certificate of insurance with the chief of the inspection department, showing that the contractor maintains public liability insurance in the amount of at least \$500,000.00 for each occurrence including products and completed operations and personal injury coverage. Each contractor shall also register all work executed by the contractor. Each contractor shall also register all journeymen and apprentices performing work for them in the city. All such journeymen and apprentices shall be licensed by the city.~~
- ~~(b) — *Master electrician's license.* Before any person shall be licensed as a master electrician, that person must present a valid state master electrician certificate to the chief of the inspection department; however, any master electrician holding a valid city master electrician's license on May 1, 1986, may continue to renew that license without obtaining a state certificate.~~
- ~~(c) — *Journeyman's license.* Before any person shall be licensed as a journeyman electrician, that person must present a validated journeyman license to the chief of the inspection department. However, any journeyman holding a valid city journeyman electrician license upon date of adoption may continue to renew that license without obtaining state certification.~~
- ~~(d) — *Apprentice license.* Any person who does not hold a valid master electrician or journeyman license and is employed by a contractor to assist in the installation of electrical work shall be licensed as an apprentice electrician prior to performing any electrical work. No apprentice shall be allowed to work without direct supervision of a master or journeyman electrician.~~
- ~~(e) — *Restricted electrical license.* Any person who is a full-time employee of a manufacturing firm, business, or institution, and holds a valid state master electrician license, may apply for a restricted electrical license to do maintenance and minor wiring within the firm, business, or institution for which they are employed. This class of license would not require the holder to have a city of electrical contractor's license.~~

~~(3) *Issuance.* Contractor's, master's, journeyman's and apprentice licenses shall be issued by the city subject to the provisions of this section. Such licenses shall not be assignable or transferable. Application for a license shall be made to the chief of the inspection department.~~

~~(4) *Exceptions.*~~

~~(a) Any public utility may perform electrical work on its own property or any property on which an easement has been granted to the public utility.~~

~~(b) A homeowner may personally perform electrical work in a single family dwelling in which he/she resides beyond the main disconnect. A permit must be procured and work inspected and approved in the same manner as for a licensed contractor. An owner must conform with all rules and regulations of this chapter.~~

~~(5) *License fees.* Initial and annual renewal fees for the following licenses shall be in amounts as set by the common council:~~

License

Contractor's

Master's

Master's Elec. Restricted

Journeyman's

Apprentice

~~(6) *Renewal of license.* All licenses shall be issued for one year, commencing on July 1 and expiring on June 30 following, unless sooner revoked.~~

Carried.

Discussion of: Agreement Between the Wisconsin Department of Transportation & the City of Sturgeon Bay Police Department, Contract No. 1 for the 2013 Transportation Management Plan for STH 42/57 – Bayview Bridge:

Mr. Schlicht stated that he did not have any knowledge of the agreement between the Wisconsin Department of Transportation and the City of Sturgeon Bay Police Department. Residents have asked him questions over the past few weeks that he was unable to answer. Since this agreement relates to four of the City of Sturgeon Bay's committees, Mr. Schlicht felt that this agreement should have been presented at Common Council.

City Administrator McNeil explained that this agreement was more of a grant. The City did not fill out extensive forms as we would to apply for other grants. At the time that the Wisconsin Department of Transportation was having meetings in Sturgeon Bay explaining the closure of Bayview Bridge, Police Chief Porter asked if the City were to get funding from the State of Wisconsin for the bridge closure. As a result, \$78,000.00 was awarded to the City of Sturgeon Bay to fund extra patrol hours for traffic control.

Patrol Sergeant Hougaard explained the general guidelines on when and where extra enforcement and traffic control is needed. Currently, only one officer is providing traffic controls

at multiple areas. However, this will be reassessed when the weather becomes nicer. He stated that Sturgeon Bay High School has made changes to their traffic flow for pick up and drop off of students. He is pleased that residents have adjusted quite well with detour routes.

Consideration of: Cable TV bill approval process:

Finance Director/City Treasurer Clarizio explained that the invoices submitted by other Department Heads are approved at Finance/Building & Purchasing Committee prior to approval at Common Council. The invoices submitted for payment for cable expenses take an extra step and are approved at Community Protection & Services Committee prior to going to Finance/Building & Purchasing Committee and Common Council. As a result, this change would standardize the approval of cable invoices to coincide with the rest of the departments.

The Cable TV budget would still be approved by the Cable Communication System Advisory Council and Community Protection & Services Committee prior to being incorporated into the budget.

Moved by Mr. Wiesner, seconded by Mr. Schlicht to streamline and allow cable invoices to be approved by Finance/Building & Purchasing Committee and Common Council, which coincides with all other departments. Carried.

Review of Bills:

Moved by Mr. Schlicht, seconded by Mr. Wiesner to approve the invoices submitted for payment as of March 14, 2013, in the amount of \$165.00. Carried.

Moved by Mr. Wiesner, seconded by Mr. Schlicht to adjourn. Carried. The meeting adjourned at 6:45 p.m.

Respectfully submitted,



Laurie Spittlemeister
Office/Accounting Assistant I

WATERFRONT REDEVELOPMENT AUTHORITY

Monday, March 18, 2013

A meeting of the Waterfront Redevelopment Authority was called to order at 1:31 p.m. by Vice-Chairperson Bill Galligan in Community Room, City Hall, 421 Michigan Street.

Roll call: Members Bill Galligan, John Asher, Thomas Wulf, Joe Stutting, and Ross Schmelzer were present. Excused: Members Tom Herlache and Ron Vandertie. Also present were: Jolena Presti and Brian Vandewalle of Vandewalle & Associates, DCEDC Executive Director Bill Chaudoir, Mayor Thad Birmingham, City Administrator Steve McNeil, Community Development Director Marty Olejniczak, and Community Development Secretary Cheryl Nault.

Adoption of agenda: Moved by Mr. Asher, seconded by Mr. Wulf to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from January 21, 2013.
4. Consideration of: Request from Stone Harbor to enclose 40' x 60' storage area in lower level of parking structure at 117 N. 2nd Avenue.
5. Consideration of: Update regarding West Waterfront Redevelopment activities.
6. 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: West Waterfront Redevelopment negotiation with potential developer.
Move to reconvene in open session to take formal action upon preceding subject of closed session, if appropriate; or to conduct discussion or give further consideration where the subject is not appropriate for closed session consideration. The Committee may adjourn in closed session.
7. Adjourn.

Carried.

Approval of minutes from January 21, 2013: Moved by Mr. Wulf, seconded by Mr. Asher to approve the minutes from January 21, 2013. All ayes. Carried.

Consideration of: Request from Stone Harbor to enclose 40' x 60' storage area in lower level of parking structure at 117 N. 2nd Avenue: Mr. Olejniczak stated that the Waterfront Redevelopment Authority owns the parking structure at 117 N. 2nd Avenue. The lower level of the southern portion is leased to Stone Harbor under a development agreement. The area is used mostly for parking and storage related to the resort. They are requesting to enclose a 40' x 60' area for use as a storage room.

It was questioned whether a certificate of insurance and hold harmless was needed before construction permits are approved.

After further discussion, it was moved by Mr. Asher, seconded by Mr. Wulf to approve the request from Stone Harbor to enclose a 40' x 60' storage area in the lower level of the parking structure at 117 N. 2nd Avenue. All ayes. Carried.

Consideration of: Update regarding West Waterfront Redevelopment activities: Mr. Olejniczak stated that the City has been awarded a \$45,000 Site Assessment Grant. Since the Environmental Site Assessment Phase 1 is completed, this grant will be put toward Phase 2 expenses and remediation

activities. Request for Proposals have been sent out to several engineering firms for the work. Also, the City has been recommended for approval for the Coastal Management Grant, which should be announced sometime in March.

Ms. Presti gave an update of other recent activities. Approval for the creation of TID #4 and amendment for TID #2 will be discussed at Council on Tuesday. Plan Commission had unanimously approved the project plans at their last meeting. Vandewalle is still trying to recruit developers. They have continued conversations with the Pollmans regarding the brew pub and restaurant. A potential master developer has been identified. Dan Schwarz of Dan's Fish Market has submitted a letter of interest regarding the Granary Market. They are waiting to contact other Granary Market tenants that previously showed interest until they know for sure about the rest of the development.

Mr. Galligan expressed concern with available working space on the festival pier for the commercial fishing boats, including fish cleaning, etc. Mr. Chaudoir added that commercial fishing and shipbuilding are uses that are eligible for the Harbor Assistance Grant.

The boardwalk/pier was discussed, including the walkway under the bridges and concern for safety.

Mr. Wulf added that the Maritime Museum Board of Directors had given approval to begin fundraising for the proposed observation tower and addition to the existing store. The approximate cost is 2.5 million dollars.

No action was needed.

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: West Waterfront Redevelopment negotiation with potential developer.

Move to reconvene in open session to take formal action upon preceding subject of closed session, if appropriate; or to conduct discussion or give further consideration where the subject is not appropriate for closed session consideration. The Committee may adjourn in closed session: After Acting Chairperson Galligan announced the statutory basis, it was moved by Mr. Asher, seconded by Mr. Wulf to convene in closed session. Roll call: All ayes. Carried. The meeting moved to closed session at 2:03 p.m.

Moved by Mr. Wulf, seconded by Mr. Schmelzer to adjourn. Carried. The meeting adjourned in closed session at 2:47 p.m.

Respectfully Submitted,



Cheryl Nault

Community Development Secretary

**MINUTES OF MEETING
CITY OF STURGEON BAY LOAN REVIEW COMMITTEE
March 19, 2013, 3:00 p.m.
Door County Business Development Center
185 E. Walnut Street, Sturgeon Bay, WI**

1. Call to Order

Vice-Chairman Greg Stephan called the meeting to order at 3:04 p.m. at the Door County Business Development Center.

2. Roll Call

Members present included Joe Stutting, Greg Stephan, and Thad Birmingham. Also present were Bill Chaudoir, Sam Perlman and Paula Sullivan - Door County Economic Development Corporation and Steve McNeil, City of Sturgeon Bay Administrator.

3. Adoption of Agenda

Motion by Joe Stutting, seconded by Thad Birmingham, to adopt the agenda as presented. Motion carried.

4. Approval of Minutes – March 12, 2012

Motion by Joe Stutting, seconded by Thad Birmingham, to approve the minutes of the March 12, 2012 City of Sturgeon Bay Loan Review Committee Meeting. Motion carried.

5. Status of Loans

Sam Perlman summarized the status of the City of Sturgeon Bay RLF Program and the program fund balance. Cash balance as of February 28, 2013 is \$372,077.33; outstanding principal balance is \$488,258.48 for total assets of \$860,335.81. All loans are current. Sturgeon Bay Cold Storage will be coming due in September.

Motion by Thad Birmingham to approve the Status of Loans as presented. Seconded by Joe Stutting. Motion carried.

- 6. Convene in closed session** for the purpose of "...deliberating or negotiating the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session..." and/or "...for consideration of financial data of specific person which, if discussed in public, would be likely to have an adverse effect upon the reputation of any person referred to in such data..." per Sec.'s 19.85 (1) (e) and (f) Wis. Stats. Specifically, consideration of financial information.

Greg Stephan read the statutory exemption stated above authorizing the closed session.

Motion by Thad Birmingham, seconded by Joe Stutting to meet in closed session.

Roll call vote: Thad Birmingham – aye, Greg Stephan – aye, and Joe Stutting - aye. Motion carried. The closed session convened at 3:10 p.m.

Meeting went into closed session for the consideration of financial information presented by Scaturo's Baking Company in conjunction with their loan application.

a. Committee reviewed the loan application and accompanying financial information from Scaturo's Baking Company. Robert Scaturo joined the meeting at 3:20 p.m. to discuss the project for which he is requesting funding. Mr. Scaturo departed a 3:30 p.m. Discussion followed.

7. Reconvene in Open Session.

Motion made by Joe Stutting, seconded by Thad Birmingham to reconvene in open session. Roll Call vote: Thad Birmingham – aye, Joe Stutting – aye, and Greg Stephan – aye. Motion carried. Reconvene in open session at 3:35 p.m.

8. Recommendation regarding loan to Scaturo's Baking Company.

Joe Stutting made a motion, seconded by Thad Birmingham to recommend to the Common Council that the Scaturo's Baking Company application for a \$35,000 loan from the City of Sturgeon Bay Revolving Loan Fund be approved subject to the following terms and conditions:

- A. Interest Rate: 1.0%**
- B. Term of Loan: 5 Years with a 5 -Year Amortization Period.**
- C. Seasonal payments of principal and interest will be made to the City of Sturgeon Bay. Monthly P & I payments of \$100.00 will be due from December through May, and \$1,100.00 will be due from June through November.**
- D. Scaturo's Baking Company will enter into a General Business Security Agreement, subordinate to Baylake Bank.**
- E. The loan shall be personally guaranteed by Robert and Joanne Scaturo.**
- F. Scaturo's Baking Company shall contribute matching working capital as stated in their application in the amount of \$35,000.**
- G. Scaturo's Baking Company will retain 2 FTE (full-time equivalency) jobs within three years of loan closing of which at least 51% shall be made available to persons of low to moderate income.**
- H. Scaturo's Baking Company shall provide the City's Loan Administrator with annual business income tax returns and financial statements by April 15th of each year.**

- I. Scaturo's Baking Company will pay all out-of-pocket loan-processing costs at closing including attorney fees for loan documentation.
- J. Scaturo's Baking Company shall submit a complete application package, to the satisfaction of William Chaudoir, Executive Director, DCEDC.
- K. The loan recipient's business location must remain in the City of Sturgeon Bay or the loan immediately becomes due and payable.
- L. This commitment is valid for a 60-day period at which time the loan shall be closed or this commitment is null and void.

Motion Carried.

9. Recommendation regarding the revisions to the CDBG-ED Revolving Loan Program Policies and Procedural Manual.

Bill Chaudoir explained the mandatory changes required by the Wisconsin Department of Administration and The U.S. Department of Housing and Urban Development (HUD). The committee reviewed the draft changes-marked in red. Bill also reported that a Regional RLF fund is being proposed to include 8 counties in Northeast Wisconsin. More information will be forthcoming.

Thad Birmingham made a motion to adopt the changes to the CDBG-ED Revolving Loan Program Policies and Procedural Manual as presented. Seconded by Joe Stutting. Motion carried.

10. Adjourn

Motion by Joe Stutting, seconded by Thad Birmingham to adjourn meeting. Motion carried. Loan Committee Vice-Chairman Greg Stephan closed the meeting at 4:05 p.m.

Respectfully submitted,

Paula Sullivan
Recording Secretary

CITY PLAN COMMISSION
Wednesday, March 20, 2013

A meeting of the City Plan Commission was called to order at 7:02 p.m. by Chairperson Dan Wiegand in Council Chambers, City Hall, 421 Michigan Street.

Roll call: Members Steve Parent, Jeff Norland, John Lodl, Dennis Statz, and Dan Wiegand were present. Excused: Members Laurel Brooks and Mike Gilson. Also present were City Administrator Steve McNeil, Community Development Director Marty Olejniczak, and Community Development Secretary Cheryl Nault.

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

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from February 20, 2013.
4. Public comment on non-agenda items.
5. Presentation of: Conceptual Planned Unit Development for William Anderson, 230 W. Juniper St.
6. Consideration of: Zoning Code Amendment – Setback from Navigable Water.
7. Consideration of: Waterfront Pedestrian Loop – planning and mapping.
8. Adjourn.

Carried.

Approval of minutes from February 20, 2013: Moved by Mr. Lodl, seconded by Mr. Norland to approve the minutes from February 20, 2013. Carried.

Public comment on non-agenda items: No one spoke during public comment.

Presentation of: Conceptual Planned Unit Development for William Anderson, 230 W. Juniper St.: Mr. Olejniczak explained that a Planned Unit Development is a special zoning district. The first step in the process is a conceptual review. This gives a chance for the applicant to present what he is proposing and get feedback from the Commission. All of the neighboring parcels are zoned R-2, except for the Otumba Park property. Mr. Anderson is asking for a combined preliminary/final PUD review, but needs Plan Commission approval to follow the combined review process.

William Andersen, owner of the subject property, stated that he recently bought the property to use as a weekly vacation rental. The property would be used by his family for about 2-3 weeks during the year. He added that this would benefit the City by receiving room tax. Businesses would also benefit with the renters shopping, eating in restaurants, etc. He also owns a vacation rental in Baileys Harbor. The neighbors he has talked with had no concerns. According to the zoning ordinance, there can only be rentals for over 30 days. He would like shorter term rentals.

Mr. Olejniczak added that this is a single-family dwelling that would be rented to one family at a time for less than 30 days. It would not impact City services, but could possibly have an influence on taxes. The property could be rezoned back to residential if there were complaints or other reasons. The PUD ordinance can specify parking, landscaping, and signage requirements.

Mr. Lodi commented that the City is losing room tax revenue without short-term rentals. He thought this property was in a wonderful location.

Mr. Andersen mentioned that he will have a management company take care of cleaning and booking the rentals. He will also give his phone number to the neighbors in case of an emergency.

Discussion took place whether or not a combined preliminary/final PUD should be held since there will be a change of Commission members in April. Having a combined PUD approval would benefit Mr. Andersen by having less meetings since the tourism season is approaching.

Moved by Mr. Lodi, seconded by Mr. Parent to allow a combined preliminary/final PUD procedure to be used. All ayes. Carried. A public hearing will be held at the April Plan Commission meeting.

Consideration of: Zoning Code Amendment – Setback from Navigable Water: Mr. Olejniczak stated that a recommendation in the Comprehensive Plan, under the Protection of Natural Resources chapter, was to consider requiring a setback from navigable water. Sturgeon Bay is not under any state mandate to apply the 75' setback from the ordinary high water mark, except for annexed areas near the shore. The only setback that currently applies is the minimum rear yard of 25', since the shoreline is considered a lot line. Some areas have a large distance between the shore and where homes are located on the property. There may be a vacant lot in between homes and a property owner decides to build their home forward and ends up blocking the neighbor's water view. A required setback from the water could help to keep buildings from blocking neighbor's views.

After hearing the comments from the Commission members, it was determined that this should be reviewed further.

Consideration of: Waterfront Pedestrian Loop – planning and mapping: Mr. Olejniczak handed out a map of potential routes for the Waterfront Pedestrian Loop on the City's West Side that would connect the Michigan St. and Oregon St. bridges to the Bayview Bridge. The Comprehensive Plan recommends that a continuous waterfront pathway be developed that connects the east and west sides. He offered options such as: Leaving it as a concept for now; create a preferred route as a guide and not officially map it; officially map the pedestrian route; or send this on to another committee, such as the Bicycle and Pedestrian Advisory Board.

Commission members held a lengthy discussion and offered their thoughts on the pedestrian walkway. Mr. Norland stated his largest concern for pedestrians is at the Bayview Bridge and how to get to the pedestrian path that is currently located on the wrong side of the bridge.

Mr. Statz thought it would be great to have the path as close to the water as possible, with lighting and an 8'-10' wide pathway, but you would have to start with eliminating properties. Research needs to be done now.

Mr. Lodi asked about the area from Snug Harbor to the Bayview Bridge. He also felt that walking through a work area along the waterfront would be problematic. He mentioned

using the former railroad right-of-way to get past the Roen Salvage property. It is time to get things mapped and not speculate.

Mr. Parent mentioned that the best location for a path would be in front of the Quarterdeck condos. There is already a walkway there. Quarterdeck controls 7 feet in front of the condos, along with a 5 foot easement. They would probably be more open with pedestrians using the sidewalk rather than going through the parking lot, which is more dangerous.

Getting from Circle Ridge Place to the base of the bridge was also considered, as well as a sidewalk along the waterside on Memorial Drive.

Mr. Lodi said that the longer you wait, the more expensive it will be. It would be wise to devise a map and set up a public input meeting.

Mr. Parent added that available parcels may get built upon or rebuilt upon and options will become more and more limited.

It was decided that the Plan Commission begin on this and work with other committees such as the Bicycle & Pedestrian Board for input.

Adjourn: Moved by Mr. Statz, seconded by Mr. Lodi to adjourn. Carried. Meeting adjourned at 8:12 p.m.

Respectfully submitted,



Cheryl Nault
Community Development Secretary

7c.

7c.

BEVERAGE OPERATOR LICENSE

1. Larsen, Ben H.
2. Lemere, Katie A.
3. Pierce, Maryann B.

7d.

7d.

CLASS A BEER AND CLASS A LIQUOR LICENSE

R. S. Patel, LLC
25 North Madison Avenue
Sturgeon Bay, WI 54235
April 3, 2013 – June 30, 2013
Agent: Bhauin Patel

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Finance/Purchasing & Building Committee, hereby recommend to accept the bid from May's Sport Center for two zero turn mowers with bagger units in the amount of \$17,544.

Respectfully submitted,
FINANCE/PURCHASING & BUILDING
COMMITTEE

By: Joseph Stutting, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: March 12, 2013

Introduced by _____.

Moved by Alderperson _____ seconded by

Alderperson _____ that said recommendation be adopted.

Passed by the Council on the _____ day of _____, 2013.

Executive Summary

Title: Purchase two 2013 zero turn mowers

Background: During the budget process monies were appropriated for the purchase of two zero turn lawn mowers. As per the purchasing policy the Municipal Services Department prepared bid specs and sent them. We sent the RFP to seven vendors of which three returned bids (See attached bidders list). Low bidder with the bagger option was Service Motors, but our recommendation is to award bid to Mays Sport Center of Sturgeon Bay. Service Motors did not meet spec on over half of the specifications and Mays was not more than 10% higher than Service Motors. As per the city's purchasing policy, local companies can be 10% higher than low bidder and still be awarded contract.

Bids came in as follows these prices include bagger units and trade ins.

Service Motors	\$17,500
Mays Sport Center	\$17,544
Weyers Equipment	\$19,900

2013 budget has \$25,000 less a \$3,000 trade in for a final allotment of \$22,000

Fiscal Impacts: \$17,544.00

Options: Award contract to any of the three vendors

Recommendation: Staff recommends awarding the contract for two zero turn mowers with bagger units to Mays Sport Center of Sturgeon Bay

Prepared By:



Bob Bordeau
Municipal Services Superintendent

Date: 03/05/2013

Reviewed By:



Valerie Clarizio
Finance Director/City Treasurer

Date: 3/5/13

Reviewed By:



Steven McNeil
City Administrator

Date: 3/05/2013

2013 Lawn Mower BID LIST

COMPANY NAME	ADDRESS	PHONE NUMBER	(2) Mowers	OPTION	TRADE IN	TOTAL
May's Sport Center	75 W. Maple Street Sturgeon Bay, WI 54235		19,356	2,694 bag x 2	7200	17,544
Herlache Small Engine	110 W. Spruce Street Sturgeon Bay, WI 54235					
Schartner Implement	862 S. Duluth Ave Sturgeon Bay, WI 54235					
Krueger Implement	1014 Egg Harbor Road Sturgeon Bay, WI 54235					
Riesterer & Schnell	5275 County Rd. R Denmark, WI 54208					
Service Motor Co., Inc.	3969 Champeau Rd New Franken, WI 54229		19,500	4500 bag	6500	17,500
Weyers Equipment	P.O. Box 259 Kaukauna, WI 54130		19,548	5,352 bag	5,000	19,700

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Finance/Purchasing & Building Committee, hereby recommend to refund LaVine's Ice Company, LLC \$1,785.32 for overpayment of their 2012 personal property taxes.

Respectfully submitted,
FINANCE/PURCHASING & BUILDING
COMMITTEE

By: Joseph Stutting, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: March 12, 2013

Introduced by _____.

Moved by Alderperson _____ seconded by

Alderperson _____ that said recommendation be adopted.

Passed by the Council on the _____ day of _____, 2013.

EXECUTIVE SUMMARY

TITLE: Request from LaVine's Ice Company, LLC, for a refund of a portion of their 2012 Personal Property taxes

BACKGROUND: Associated Appraisal Consultants, Inc., the City's contracted assessing service provider, received a claim from LaVine's Ice Company, LLC's, accountants, Murray & Roberts CPA Firm SC, for a refund of overpaid 2012 personal property taxes. The 2012 assessments and taxes were calculated based upon the Personal Property Tax Statement received by LaVine's accountant. Upon realizing they'd made an error on the report, they submitted a corrected report which shows \$28,200 in taxable personal property rather than \$109,300. The difference in 2012 property taxes is \$1,785.32.

In the event the City chooses to reimburse the taxes to LaVine's Ice Company, LLC, the City can file a reimbursement claim with the Department of Revenue as per Wisconsin Statute 74.41.

FISCAL IMPACT: \$1,785.32

- OPTIONS:
- 1) Refund LaVine's Ice Company, LLC, \$1,785.32 for overpayment of their 2012 personal property taxes.
 - 2) Deny the request from LaVine's Ice Company, LLC, for a refund of the overpayment of their 2012 personal property taxes in the amount of \$1,785.32.

RECOMMENDATION: Refund LaVine's Ice Company, LLC, \$1,785.32 for overpayment of their 2012 personal property taxes.

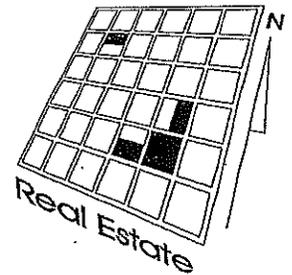
PREPARED BY: Valerie J. Clafzio 3/7/13
Valerie J. Clafzio Date
Finance Director/City Treasurer

REVIEWED BY: Marty Olejniczak 3/7/13
Marty Olejniczak Date
Community Development Director

APPROVED BY: Stephen McNeil 3/7/12
Stephen McNeil Date
City Administrator

Associated Appraisal Consultants, Inc.

Appleton ■ Hurley ■ Lake Geneva



March 6, 2013

Valerie Clarizio, Treasurer
City of Sturgeon Bay
421 Michigan St
Sturgeon Bay, WI 54235

Re: Claim for Unlawful Tax – LaVine’s Ice Company, LLC

Valerie,

We have reviewed the claim submitted on behalf of LaVine’s Ice Company, LLC, dated 2/15/2013 by their CPA firm. A corrected 2012 Statement of Personal Property was submitted with the claim.

As you are aware, personal property assessments are based on the Statement of Personal Property, which is filed by each business owner with a self-reported value of taxable personal property assets. It appears that this form was filed in 2012 showing a value that included property not located in the City of Sturgeon Bay.

LaVine's Ice Company, LLC is now requesting a refund of overpayment according to Wisconsin statutes 74.35, "Recovery of Unlawful Tax." The corrected statement shows \$28,200 in taxable personal property, as opposed to the original assessment of \$109,300. The difference in 2012 property taxes is \$1,785.32.

If the City chooses to allow the claim, the excess taxes would have to be refunded to the property owner. The City can then submit a request to the Department of Revenue for a reimbursement of these taxes by way of a "charge back" under Wisconsin Statutes 74.41.

I hope this information is helpful. Please contact me at 800-721-4157 with any additional questions.

Respectfully,

A handwritten signature in cursive script that reads "Mark Verhyen".

Mark Verhyen
Personal Property Specialist



**MURRAY &
ROBERTS**
CPA FIRM SC
We Appreciate Your Value

February 15, 2013

City of Sturgeon Bay Assessor's Office
421 Michigan St.
Sturgeon Bay, WI 54235

To Whom It May Concern:

I am writing to file a claim to refund some of the personal property tax for 2012 for LaVine's Ice Company, LLC. We are the CPA Firm who has been hired by Ted LaVine to prepare his personal property tax forms.

The 2012 Personal Property Tax Statement as originally reported was incorrect. The personal property listed was over reported. Some of the property was not located in the municipality of Sturgeon Bay and should not have been included on the original form. I am also enclosing the original and a corrected 2012 Statement of Personal Property for your reference.

We are requesting an adjustment on the assessment for 2012 and to refund Mr. LaVine the difference between what he paid on time for his 2012 Personal Property Tax bill and what he should have paid based on the new information that I am providing you. We believe he is due this recovery according to Section 74.35 from the Wisconsin Statutes.

Thank you for your attention to this matter. If you have any questions, please call me at (920) 739-7577.

Sincerely,

Polly E. Ebben
Office Manager
Murray & Roberts CPA Firm, S.C.

Enclosure

Corrected copy

DUE DATE
March 1, 2012

STATEMENT OF PERSONAL PROPERTY
Subject to Assessment January 1, 2012

2012

Who Must File? Every person, firm or corporation as defined in section 70.35 Wis. Statutes receiving from the assessor a return of personal property, must submit the return to the assessor on or before March 1. This return is confidential and is not available for public inspection.

Failure to File: If you fail to file, the assessor must estimate the value of your property using the best information available. In addition, you shall be denied any right of abatement by the board of review, under Section 70.35(4), Wis. Statutes.

Property Owner: (or in charge as agent, consignee, or other representative capacity)

FOR ASSISTANCE, CONTACT THE ASSESSOR.

LAVINE'S ICE COMPANY, LLC
835 EGG HARBOR RD
STURGEON BAY, WI 54235

Town _____
Village _____
City X } of: STURGEON BAY
County of: DOOR

School District: _____ TID Number: _____
Assessor:
CITY OF STURGEON BAY ASSESSOR'S OFFICE
421 MICHIGAN ST.
STURGEON BAY, WI 54235

Account Number: 281-1115
Property Address: 835 EGG HARBOR RD

Engaged in Business of: SELLING ICE
Sole Proprietorship _____ Partnership _____
Corporation _____ LLC X LLP _____

New Owner	Name: _____	Type of Change:	Discontinued	_____
	Situs Address: _____		Incorporated	_____
	Mailing Address: _____		Sold	_____
	City, State, Zip: _____		Moved	_____
	Phone No.: _____		Date of Change: _____	

Schedule A
SUMMARY OF PERSONAL PROPERTY AS OF JANUARY 1, 2012

Schedule A is the summary of all taxable personal property from Schedules B through H. The total of column 3 is your declaration of personal property subject to tax within this municipality. Do not write "SALY" for Same As Last Year; forms must be filled out completely. Note that Schedule D-1, exempt computer equipment and software, cash registers and single-function fax machines, is excluded from TOTAL ASSESSABLE.

Column 1 Property Description	Values		CODE	Column 4 LEAVE BLANK
	Column 2 Subtotals	Column 3 Totals		
1. Boats & Other Watercraft (from Schedule B)			1	
2. Machinery, Tools & Patterns (from Schedule C)		\$24,033	2	
3. Furniture, Fixtures & Office Equipment (from Schedule D)				
5. Multifunction Faxes, Postage Meters, Copiers & Phone Systems (from Sch. D-2)			3	
6. TOTAL OF LINES 3 and 5				
7. Leased Equipment (Property in charge of but not owned from Sch. F)				
8. Supplies (from Schedule G)	\$50			
9. All Other Personal Property (from Schedule H)	\$2,768			
10. TOTAL OF LINES 7, 8, AND 9		\$2,818	4A	
11. Buildings on Leased Land (from Schedule E)			4B	
TOTAL ASSESSABLE (TOTAL OF LINES 1, 2, 6, 10 AND 11)		\$26,851		

4. EXEMPT Computer Equipment & Software (from Schedule D-1)
Please report the total from Schedule D-1 from the 2011 PA-003

I hereby declare all information given is true and correct for all the personal property for which I am subject to assessment and which was owned by me or held in my possession on January 1, 2012.

Owner's Name (please print) TED LAVINE	Signature & Date <i>Ted Lavine</i>	Preparer's Name (please print) POLLY R. EBBEN	Signature & Date <i>Polly R. Ebben 2/15/13</i>
Owner's Full Address 835 EGG HARBOR RD, STURGEON BAY, WI 54235		Preparer's Full Address W6110 AEROTECH DR., APPLETON, WI 54914-7560	
Owner's Phone Number Fax Number		Preparer's Phone Number 920-739-7577	Fax Number 920-225-6440
E-mail		E-mail	

Corrected

**Schedule B
BOATS AND WATERCRAFT**

Schedule B is for reporting boats and watercraft not exempt. Composite Conversion Factors and a table of Composite Useful Lives on various equipment can be found at <http://www.revenue.wi.gov/report/p.html#personal>.

Column 1 Property Description	Column 2 Year Acquired	Column 3 Cost When Acquired	Column 4 Conversion Factor	Column 5 Declared Value January 1	Column 6 LEAVE BLANK
Total Declared Value					

Use additional sheets if necessary.

Enter Col. 5 Total on Sch.
A, Line 1, Col. 3

**Schedule C
MACHINERY, TOOLS AND PATTERNS**

Report all machinery and shop equipment. Take the costs shown from your accounting records. Any variation from information contained in your income tax return must be explained by letter or schedule. Summarize the original asset costs by acquisition year as of January 1 of last year. Enter these costs in column 2. Enter any additions or deletions by acquisition year in column 3.

Column 1 Year Assets Acquired	Column 2 Total Original Installed Cost as of January 1, 2011	Column 3 Additions, Disposals, and Transfers at Cost Since Jan. 1, 2011	Column 4 Net total Original Installed Cost as of Jan. 1, 2012 (Column 2 +/- Column 3)	Column 5 Conversion Factor 10 yr.	Column 6 Indexed Net Value (Full Value) on January 1, 2012 (Column 4 x Column 5)	Column 7 LEAVE BLANK
2011		\$21,007	\$21,007	0.925	\$19,431	
2010	\$23,808	-\$23,808		0.794		
2009	\$33,486	-\$33,486		0.675		
2008	\$49,425	-\$41,639	\$7,786	0.591	\$4,602	
2007				0.512		
2006				0.447		
2005				0.391		
2004				0.339		
2003				0.287		
2002				0.244		
Prior to '02				0.135		
Totals	\$106,719	(\$77,926)	\$28,793		\$24,033	

Enter Col. 6 Total on Sch.
A, Line 2, Col. 3

**Schedule D
FURNITURE, FIXTURES AND OFFICE EQUIPMENT**

Report such assets as office, store and professional furniture, fixtures and equipment, business and professional libraries, and other assets related to the sales and administration of your business. Original Cost per Column 4, Schedule D should contain all costs of installation and freight, add-ons, and sales tax.

Column 1 Year Assets Acquired	Column 2 Total Original Installed Cost as of January 1, 2011	Column 3 Additions, Disposals, and Transfers at Cost Since Jan. 1, 2011	Column 4 Net total Original Installed Cost as of Jan. 1, 2012 (Column 2 +/- Column 3)	Column 5 Conversion Factor 10 yr.	Column 6 Indexed Net Value (Full Value) on January 1, 2012 (Column 4 x column 5)	Column 7 LEAVE BLANK
2011				0.925		
2010				0.794		
2009				0.675		
2008				0.591		
2007				0.512		
2006				0.447		
2005				0.391		
2004				0.339		
2003				0.287		
2002				0.244		
Prior to '02				0.135		
Totals						

Enter Col. 6 Total on Sch.
A, Line 3, Col. 2

Corrected

Schedule D-1

**EXEMPT COMPUTER EQUIPMENT AND SOFTWARE (OWNED),
CASH REGISTERS & SINGLE FUNCTION FAX MACHINES**

Do Not Report Custom Software. Report mainframe computers, minicomputers, personal computers, networked personal computers, servers, terminals, monitors, disk drives, electronic peripheral equipment, tape drives, printers, basic operational programs, systems software, prewritten software, ATMs, cash registers, and single function fax machines.

Column 1 Year Assets Acquired	Column 2 Total Original Installed Cost as of January 1, 2011	Column 3 Additions, Disposals, and Transfers at Cost Since Jan. 1, 2011	Column 4 Net total Original Installed Cost as of Jan. 1, 2012 (Column 2 +/- Column 3)	Column 5 Conversion Factor 4 yr.	Column 6 Indexed Net Value (Full Value) on January 1, 2012 (Column 4 x Column 5)	Column 7 LEAVE BLANK
2011				0.813		
2010				0.513		
2009				0.320		
2008				0.206		
2007				0.131		
2006				0.082		
2005				0.051		
Prior to '05				0.032		
Totals						

Total leased equipment from Schedule F, Column 7

Combined Totals

Enter Col. 6 Total on Sch. A, Line 4, Col. 2

NOTE: Per Section 70.36(1M) Any person, firm or corporation that fails to include information on property that is exempt under s. 70.11(39) and (39m) on the report under s. 70.35 shall forfeit \$10 for every \$100 or major fraction thereof that is not reported.

Schedule D-2

MULTIFUNCTION FAXES, COPIERS, POSTAGE METERS, TELEPHONE SYSTEMS, AND COMPUTERIZED EQUIPMENT

Report all multifunction fax machines, copiers, postage meters, telephone systems (PBXs), and equipment with embedded computerized components.

Column 1 Year Assets Acquired	Column 2 Total Original Installed Cost as of January 1, 2011	Column 3 Additions, Disposals, and Transfers at Cost Since Jan. 1, 2011	Column 4 Net total Original Installed Cost as of Jan. 1, 2012 (Column 2 +/- Column 3)	Column 5 Conversion Factors 6 yr.	Column 6 Indexed Net Value (Full Value) on January 1, 2012 (Column 4 x Column 5)	Column 7 LEAVE BLANK
2011				0.875		
2010				0.663		
2009				0.497		
2008				0.384		
2007				0.294		
2006				0.227		
Prior to '06				0.123		
Totals						

Enter Col. 6 Total on Sch. A, Line 5, Col. 2

Schedule E

BUILDINGS ON LEASED LAND

Report all buildings, structures, and other improvements which you own, but which are located on land that you do not own. They will be valued in the same manner as improvements located on land that is owned by you. Enter your opinion of value in column 4.

Column 1 Property Description	Column 2 Year Acquired	Column 3 Cost When Acquired	Column 4 Declared Value Jan. 1	Column 5 Leave Blank
Total Declared Value				

Enter Col. 4 Total on Sch. A, Line 11, Col. 3

As Originally Filed

DUE DATE

March 1, 2012

STATEMENT OF PERSONAL PROPERTY

Subject to Assessment January 1, 2012

2012

Who Must File? Every person, firm or corporation as defined in section 70.35 Wis. Statutes receiving from the assessor a return of personal property, must submit the return to the assessor on or before March 1. This return is confidential and is not available for public inspection.

Failure to File: If you fail to file, the assessor must estimate the value of your property using the best information available. In addition, you shall be denied any right of abatement by the board of review, under Section 70.35(4), Wis. Statutes.

Property Owner: (or in charge as agent, consignee, or other representative capacity)

FOR ASSISTANCE, CONTACT THE ASSESSOR.

LAVINES ICE COMPANY LLC
835 Egg Harbor Rd.
Sturgeon Bay, WI 54235

Town _____
Village _____
City X } of: STURGEON BAY
County of: DOOR

School District: _____ TID Number: _____
Assessor:
CITY OF STURGEON BAYS ASSESSOR OFFICE
421 MICHIGAN ST
STURGEON BAY, WI 54235

Account Number: 281-1115
Property Address: 835 EGG HARBOR RD

Engaged in Business of:
Sole Proprietorship Partnership
Corporation LLC

LLP

New Owner	Name: _____	Type of Change:	Discontinued <input type="checkbox"/>
	Situs Address: _____		Incorporated <input type="checkbox"/>
	Mailing Address: _____		Sold <input type="checkbox"/>
	City, State, Zip: _____	Date of Change: _____	Moved <input type="checkbox"/>
	Phone No.: _____		

Schedule A
SUMMARY OF PERSONAL PROPERTY AS OF JANUARY 1, 2012

Schedule A is the summary of all taxable personal property from Schedules B through H. The total of column 3 is your declaration of personal property subject to tax within this municipality. Do not write "SALY" for Same As Last Year; forms must be filled out completely. Note that Schedule D-1, exempt computer equipment and software, cash registers and single-function fax machines, is excluded from TOTAL ASSESSABLE.

Column 1 Property Description	Values		CODE	Column 4 LEAVE BLANK
	Column 2 Subtotals	Column 3 Totals		
1. Boats & Other Watercraft (from Schedule B)			1	
2. Machinery, Tools & Patterns (from Schedule C)		\$103,258	2	
3. Furniture, Fixtures & Office Equipment (from Schedule D)				
5. Multifunction Faxes, Postage Meters, Copiers & Phone Systems (from Sch. D-2)			3	
6. TOTAL OF LINES 3 and 5				
7. Leased Equipment (Property in charge of but not owned from Sch. F)				
8. Supplies (from Schedule G)	\$50			
9. All Other Personal Property (from Schedule H)	\$2,768			
10. TOTAL OF LINES 7, 8, AND 9		\$2,818	4A	
11. Buildings on Leased Land (from Schedule E)			4B	
TOTAL ASSESSABLE (TOTAL OF LINES 1, 2, 6, 10 AND 11)		\$106,076		
4. EXEMPT Computer Equipment & Software (from Schedule D-1)				
Please report the total from Schedule D-1 from the 2011 PA-003				

I hereby declare all information given is true and correct for all the personal property for which I am subject to assessment and which was owned by me or held in my possession on January 1, 2012

Owner's Name (please print) Ted LaVine	Signature & Date 	Preparer's Name (please print) POLLY R. EBBEN	Signature & Date 2-15-12
Owner's Full Address 835 EGG HARBOR RD., STURGEON BAY, WI 54235		Preparer's Full Address W6110 AEROTECH DR., APPLETON, WI 54914-7560	
Owner's Phone Number Fax Number		Preparer's Phone Number 920-739-7577	Fax Number 920-225-6440
E-mail		E-mail	

As Originally Filed

**Schedule B
BOATS AND WATERCRAFT**

Schedule B is for reporting boats and watercraft not exempt. Composite Conversion Factors and a table of Composite Useful Lives on various equipment can be found at <http://www.revenue.wi.gov/report/p.html#personal>.

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Total Declared Value					

Use additional sheets if necessary.

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A, Line 1, Col. 3

**Schedule C
MACHINERY, TOOLS AND PATTERNS**

Report all machinery and shop equipment. Take the costs shown from your accounting records. Any variation from information contained in your income tax return must be explained by letter or schedule. Summarize the original asset costs by acquisition year as of January 1 of last year. Enter these costs in column 2. Enter any additions or deletions by acquisition year in column 3.

Column 1 Year Assets Acquired	Column 2 Total Original Installed Cost as of January 1, 2011	Column 3 Additions, Disposals, and Transfers at Cost Since Jan. 1, 2011	Column 4 Net total Original Installed Cost as of Jan. 1, 2012 (Column 2 +/- Column 3)	Column 5 Conversion Factor 10 yr.	Column 6 Indexed Net Value (Full Value) on January 1, 2012 (Column 4 x Column 5)	Column 7 LEAVE BLANK
2011		\$35,179	\$35,179	0.925	\$32,541	
2010	\$23,808		\$23,808	0.794	\$18,904	
2009	\$33,486		\$33,486	0.675	\$22,603	
2008	\$49,425		\$49,425	0.591	\$29,210	
2007				0.512		
2006				0.447		
2005				0.391		
2004				0.339		
2003				0.287		
2002				0.244		
Prior to '02				0.135		
Totals	\$106,719	\$35,179	\$141,898		\$103,258	

Enter Col. 6 Total on Sch.
A, Line 2, Col. 3

**Schedule D
FURNITURE, FIXTURES AND OFFICE EQUIPMENT**

Report such assets as office, store and professional furniture, fixtures and equipment, business and professional libraries, and other assets related to the sales and administration of your business. Original Cost per Column 4, Schedule D should contain all costs of installation and freight, add-ons, and sales tax.

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2005				0.391		
2004				0.339		
2003				0.287		
2002				0.244		
Prior to '02				0.135		
Totals						

Enter Col. 6 Total on Sch.
A, Line 3, Col. 2

As Originally Filed

Schedule D-1

**EXEMPT COMPUTER EQUIPMENT AND SOFTWARE (OWNED),
CASH REGISTERS & SINGLE FUNCTION FAX MACHINES**

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Column 1 Year Assets Acquired	Column 2 Total Original Installed Cost as of January 1, 2011	Column 3 Additions, Disposals, and Transfers at Cost Since Jan. 1, 2011	Column 4 Net total Original Installed Cost as of Jan. 1, 2012 (Column 2 +/- Column 3)	Column 5 Conversion Factor 4 yr.	Column 6 Indexed Net Value (Full Value) on January 1, 2012 (Column 4 x Column 5)	Column 7 LEAVE BLANK
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2010				0.513		
2009				0.320		
2008				0.206		
2007				0.131		
2006				0.082		
2005				0.051		
Prior to '05				0.032		
Totals						

Total leased equipment from Schedule F, Column 7

Combined Totals

Enter Col. 6 Total on Sch. A, Line 4, Col. 2

NOTE: Per Section 70.36(1M) Any person, firm or corporation that fails to include information on property that is exempt under s. 70.11(39) and (39m) on the report under s. 70.35 shall forfeit \$10 for every \$100 or major fraction thereof that is not reported.

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2011				0.875		
2010				0.663		
2009				0.497		
2008				0.384		
2007				0.294		
2006				0.227		
Prior to '06				0.123		
Totals						

Enter Col. 6 Total on Sch. A, Line 5, Col. 2

Schedule E

BUILDINGS ON LEASED LAND

Report all buildings, structures, and other improvements which you own, but which are located on land that you do not own. They will be valued in the same manner as improvements located on land that is owned by you. Enter your opinion of value in column 4.

Column 1 Property Description	Column 2 Year Acquired	Column 3 Cost When Acquired	Column 4 Declared Value Jan. 1	Column 5 Leave Blank
Total Declared Value				

Enter Col. 4 Total on Sch. A, Line 11, Col. 3

As Originally Filled

Schedule F

LEASED EQUIPMENT (Property in Charge of But Not Owned)

Report all leased equipment such as business furniture, fixtures, equipment, machines, postage meters, tools, or advertising devices and similar items loaned, leased, stored or otherwise held and not owned by you. These items may or may not be assessed to you. Frequently, leases state whether the owner or the lessee is responsible for the personal property tax. Composite Conversion Factors and a table of Composite Useful Lives on various equipment can be found at <http://www.revenue.wi.gov/report/p.html#personal>. Factors for computer equipment can be found on Schedule D-1.

Column 1 Name and Address of Leasing Company*	Column 2 Type of Equipment and Lease No.	Column 3 Gross Annual Rent	Column 4 Year Installed	Column 5 Original Cost	Column 6 Index Value Taxable Equipment	Column 7 Index Value Computer	Column 8 LEAVE BLANK
Totals							

*Leasing Companies: To avoid duplication of assessment, provide the same information requested on this schedule including name and location of lessees.

Enter Col. 6 Total on Sch. A, Line 7, Col. 2
Enter Col. 7 Total on Sch. D-1 on page 3, near bottom of Col. 6

Schedule G
SUPPLIES

Report your supplies inventory. Supplies include items which are expensed, not subject to resale, but are necessary in the conduct of business, are consumed in the operations or in providing customer services. Supplies are items such as those used for selling and advertising, office, shipping, medical, dental, janitorial and cleaning, in your possession on January 1.

January 1, 2012 Supplies Inventory	\$50
------------------------------------	------

Enter amount on Sch. A, Line 8, Col. 2

Schedule H

ALL OTHER PERSONAL PROPERTY, LEASEHOLD IMPROVEMENTS, SIGNS, BILLBOARDS, VIDEO TAPES, LOGS & FOREST PRODUCTS, OTHER IMPROVEMENTS ON LEASED LAND (EXEMPT), FOREST CROP LAND, OR MANAGED FOREST LAND

Report all leasehold improvements and other personal property not reported on a separate schedule. Leasehold improvements are any alterations, additions, or improvements, adding value, made by a tenant to leased or rented premises. Enter the total improvement cost in column 3. This schedule also includes logs and other forest products belonging to persons whose principal activity is not related to the buying, selling or manufacturing use of such property. Merchant's or manufacturing stock are exempt. Report improvements on leased land (exempt) and privately owned structures, billboards, or special taxed land. Composite Conversion Factors and a table of Composite Useful Lives on various equipment can be found at <http://www.revenue.wi.gov/report/p.html#personal>.

Column 1 Year Acquired	Column 2 Property Description	Column 3 Cost When Acquired	Column 4 Conversion Factor	Column 5 Declared Value January 1	Column 6 Leave Blank
2009	FORK LIFT TOYOTA CLASS III OTHERS REPT BY TOYOTA	\$4,100	0.675	\$2,768	
Total				\$2,768	

Enter Col. 5 Total on Sch. A, Line 9, Col. 2

Please provide the following lease provisions:

- Term: From (MM/YR): _____ To (MM/YR): _____
- Square foot of leased area: _____ S.F.
- Annual Rental: \$ _____ Percentage Rental: _____ %
- Rent includes (check any that apply):
 Electric: Heat: Parking: R.E. Taxes:
 Common Area Maintenance:
 Other (describe):

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Community Protection and Services Committee, hereby recommend to repeal and recreate Section 12.015 and 12.016 of the City of Sturgeon Bay Municipal Code to read as follows:

12.015 Garbage and refuse collection.

(1) *Definitions.*

City. The municipal corporate entity known as the City of Sturgeon Bay, including employees, and any private entity, including employees, contracted by the city for the purpose of collecting garbage and recyclable material.

Collection point. ~~The location at or near the edge of the road or curbing that is approved by the director of public works.~~ **Carts shall be placed on the driveway apron or on the grassy area immediately adjacent to the curb. The garbage cart shall be placed with the opening facing the street or curb, and separated at least three feet apart. Avoid placing carts within three (3) feet of mail boxes, trees, posts, vehicles or other items. Vehicle parking must not hinder access to the carts. During winter months, garbage carts shall not be placed on top of the snow bank, nor shall it be placed in the roadway unless, approved in writing by the Municipal Services Superintendent.**

Commercial garbage. The waste of animal, fruit and vegetable matter which results from the preparation of food in hotels, clubs, restaurants, schools, multi-family residential structures or other commercial establishments or which results from the handling of food material at markets, commission houses, butcher shops and similar establishments.

Commercial rubbish. All matter, such as, wire or metal of any kind, glass, china, crockery, contaminated paper, cloth, earth, wood, ashes, and other materials similar in nature, but not otherwise defined as a recyclable item, deposited for collection by establishments other than private detached single-family residential structures.

Hazardous waste. Waste which is from time to time so determined, by either the Wisconsin Department of Natural Resources or the U.S. Environmental Protection Agency.

Industrial waste. All refuse, rubbish, garbage and unusable by-products of any manufacturing or industrial operation, that are not recyclable.

Large item trash or junk. Means, but is not limited to, items such as trees, tree stumps, large tree limbs, large pieces of furniture, stoves, refrigerators and other appliances, large amounts of construction or remodeling debris, cement, stones, bricks, and other materials that exceed the limits of our collection ordinance because of size or weight and therefore not collected as part of our normal refuse collection route.

Garbage cart. One 64 or 96 gallon "GARBAGE" cart furnished by the city. The cart is and shall remain the property of the city and shall remain at the dwelling to which it is issued. In the event it is lost, stolen or missing, the city may at its option, sell a replacement and recoup the cost. One cart will be furnished by the city at the start of the new automated program and for new homes constructed after the start of the program implementation date.

Residential garbage. The waste of animal, fruit and vegetable matter which results from the preparation of food in residential houses and kitchens. **Miscellaneous waste material, excluding recyclables, including but not limited to discarded material resulting from handling, processing, storing, or consumption of food, metals, rubber, wood, cloth, and litter. Garbage shall specifically exclude hazardous, offensive, noxious or toxic wastes, refuse, construction debris, yard and garden waste, and brush.**

Residential rubbish. All refuse matter, such as wire or metal of any kind, glass, china, crockery, contaminated paper, cloth, earth, ashes, and other materials similar in nature, but not otherwise defined as recyclable items, that are deposited for collection by occupants of a private residence.

Residential equivalent unit. A single-family dwelling and each family unit located within multiple-family buildings such as dual-family dwellings (duplexes), townhouses and apartments. Commercial, retail, school or industrial uses generating 96 or fewer gallons of garbage per week are also defined as a residential equivalent unit.

(2) *Preparation*

- (a) All garbage shall be disposed of in accordance with the provisions of this section, drained of excess water or other fluids, ~~securely wrapped and deposited in animal and weather proof containers.~~ **secured in a plastic garbage bag and deposited into the 64 or 96 gallon garbage cart provided by or purchased from the city.**
- (b) All rubbish shall be disposed of in accordance with the provision of this section, and containerized, bundled, packaged or otherwise secured as to maximize efficient handling and prevent water or wind damage.
- (c) The patron at the site of collection shall separate, rubbish and garbage from all items that are defined as recyclable by section 12.016.
- (d) No container, bundle or other single unit of garbage or rubbish **that does not fit within the city provided cart will be collected.** ~~shall exceed 50 pounds in weight, 32 gallons in capacity, and no single item shall be larger than 30 inches in any dimension to be collected on the regular collection day. Containers shall be watertight, equipped with functional handles and shall be maintained free of cuts and sharp edges that could injure a person doing the collections. Items that exceed these limits will be tagged and left at the curb. The property owner shall properly store these items within 12 hours and until it is altered to allow collection in the future or otherwise properly disposed of. The only exception to these requirements is that the city may allow larger and heavier containers, purchased from the city, that are compatible with the~~

automated tipping system and approved by the city prior the first date of use. **The only exception, with approval of the city prior to the first date of use, is that the city may allow an additional cart to be purchased from the City of Sturgeon Bay that is compatible with the automated tipping system. Use of an additional garbage cart will require payment of an additional monthly refuse fee equal to a residential equivalent unit.**

(3) *Storage and collection.*

- (a) No patron owning or occupying any premises shall permit any garbage, refuse, rubbish or waste to accumulate upon such premises that is not stored in a sanitary manner approved by applicable health regulations. ~~Storage containers shall be watertight, neatly organized and prevent animals from foraging through the garbage.~~
- (b) The owner or occupier of all premises upon which garbage, refuse, rubbish or waste is accumulated or stored shall remove or cause to be removed and disposed of all such materials from such premises. ~~at least once each seven days.~~
- (c) ~~Any container, receptacle, bundle or other unit of garbage, refuse, rubbish or waste~~ **The 64 or 96 gallon garbage cart shall not be placed for collection no later than 7:00 a.m. on the day of collection and no more than 12 hours prior to collection date and shall be removed within 12 hours of that date. If the collection day falls on a holiday, the collection will be on the first working day (Monday through Friday) after the holiday, and each collection route thereafter shall also be delayed one day for the remainder of that week.**
- (d) ~~Four 32-gallon containers, or~~ One approved **64 or 96 gallon "GARBAGE"** cart ~~or the equivalent thereof~~ is the maximum amount of garbage, refuse, rubbish and waste that may be set out for one week's collection at any residential equivalent collection point.
- (e) ~~The garbage refuse, rubbish, waste~~ **cart** shall be placed for collection at a point at or near the public street abutting or servicing the premises generating such garbage, refuse, rubbish, waste or at a point of location to be designated by the ~~director of Municipal Services~~ **Superintendent**. Collection points shall be maintained to allow safe access for the collection of all materials. If safe access is not available, items will not be collected until access is made available. **Vehicle parking must not hinder access to the carts.**
- (f) The city will not come upon private property for the collection of garbage, refuse, rubbish or waste. Developments that have previously received approval for the collection from private property will continue to receive this service provided that the ~~director of Municipal Services~~ **Superintendent** approves the accessibility to the garbage, refuse, rubbish or waste collection point and the ability of the refuse collection truck and personnel to maneuver. The determination of accessibility is to be made exclusively by the ~~director of Municipal Services~~ **Superintendent**. ~~city engineer.~~—Hold harmless

agreement approved by the city attorney shall be executed for private property owners prior to entering upon private property for collection.

- (g) No flammable liquid material, hot ashes or hazardous waste (**examples: oil based paint, stain, varnish, fertilizer, insect killer, weed killer**) shall be prepared and set out for collection.
- (h) No person shall deposit, throw or place any garbage, refuse, rubbish or waste on or within any public street, alley, park, sidewalk or other public place or on any private property within the city, whether owned, kept or controlled by such person, except and unless placed in containers or receptacles. ~~or securely bundled as provided herein.~~
- (i) No person shall place any garbage, refuse, or waste, for collection and disposal if the garbage, refuse, or waste was not generated in the city.

12.016 Recyclable material collection.

(4) Definitions.

City of Sturgeon Bay. The municipal corporate entity known as the City of Sturgeon Bay, including employees, and any private entity, including employees, contracted by the city for the purpose of collecting recyclable material.

Collection point. Cart shall be placed on the driveway apron or on the grassy area immediately adjacent to the curb. The recycling cart shall be placed with the opening facing the street or curb, and separated at least three feet apart. Avoid placing carts within three (3) feet of mail boxes, trees, posts, vehicles or other items. Vehicle parking must not hinder access to the carts. During winter months, the recycling cart shall not be placed on top of the snow bank, nor shall they be placed in the roadway unless, approved in writing by the Municipal Services Superintendent.

~~*Recycling bins carts.* Blue tinted plastic rectangular containers 14 and 18 gallon in size, embossed with the City of Sturgeon Bay logo, shall be the medium for packaging commingled recyclable material for collection. One bin will be furnished by the city. Bins are and shall remain the property of the city and shall remain at the dwelling to which it is issued. In the event of lost, stolen or missing bins the city may at its option sell or issue replacement bin and recoup the cost at the point of sale. An additional bin may be purchased to provide for more commingled recyclable mater or for recycled paper collection. Paper must be put in paper grocery bags or bundled with string but can be placed in a bin to protect it from the weather.~~

Recycling cart. One 64 or 96 gallon single stream cart- this means that two recycling "streams" –mixed recyclable newspaper, periodicals, office paper, cardboard, tin, steel and bimetal cans, aluminum cans, plastic containers (types 1 through 7), and clear, green and brown glass shall be placed in the 64 or 96 gallon "RECYCABLES" cart. One cart will be furnished by the city at the start of the new automated program and for new homes constructed after the start of the program implementation date. The cart is and shall remain the

property of the city and shall remain at the dwelling to which it is issued. In the event it is lost, stolen or missing, the city may at its option, sell a replacement and recoup the cost.

Recyclable material. Recyclable material is defined as:

1. *Newspaper.* All matter printed on newsprint, including newspapers as delivered with advertising circulars and coupon sections.
2. *Periodicals.* All glossy periodicals.
3. *Corrugated cardboard and paperboard.* Box material, such as packing boxes, cereal, cake mix and other similar materials.
4. *Tin, steel and bimetal cans.* Food and beverage cans only.
5. *Aluminum cans.* Aluminum beverage or food containers only.
6. *Plastic containers (types 1,2,3,4,5, 6,7).* Plastic bottles and jugs bearing the number "1", "2", "3", "4", "5", "6" or "7" inside the recycling symbol.
7. *Glass containers.* Colorless, green and brown. Clear and colored bottles and jars from food and beverage products only. This does not include tempered glass from windows or glass cook ware.
8. *Office paper.* White and colored paper including envelopes, junk mail, computer, stationery and other bond paper or other similar material that does not have personal identification for security reasons.
9. ~~*Yard waste.* Leaves, grass clippings, garden debris and brush, including cleaned woody vegetative material no greater than six inches in diameter that can be composted or shredded into mulch. This term does not include stumps, roots or shrubs with intact root balls.~~

Residential equivalent unit. A single-family dwelling and each family unit located within multiple-family buildings such as dual-family dwellings (duplexes), townhouses and apartments. Commercial, retail, school and industrial entity generating ~~36~~ **64 or 96** gallons of commingled "**single stream**" recyclable material or recyclable paper during a ~~two~~ **one** week period, may also be a residential equivalent unit.

~~(2) — Effective date.~~ This section shall become effective on July 1, 1992.

(2) ~~Source separation of commingled recyclable material, recyclable paper and non-recyclable garbage required.~~

(a) On or after the effective revised date of this section, each residential unit shall separate recyclable material and non-recyclable garbage at the

residential unit. ~~into two categories as follows: paper products and all other recyclable material as defined above.~~

- (b) ~~Paper products shall be securely bound with heavy string or twine, placed in paper grocery bags, or otherwise secured in such a manner as to be substantially dry when picked up.~~ **All recyclables shall be deposited in one 64 or 96 single stream cart- mixed paper, cardboard and commingled recyclables (aluminum, tin, plastic, glass).** Cans, plastic and glass containers shall be rinsed and substantially clean before placing in the recycling bin ~~cart~~. Recyclable material that is capable of being flattened, **should be** (plastic, aluminum and metal containers). Cardboard and paperboard boxes shall be flattened and cut to 30" x 30" or less when **fit inside of the 64 or 96 gallon recycling cart** when set out for the recyclable pickup. Additional specific instructions that may be issued by the city or its contracted agent shall be incorporated into this section by reference.
- (c) The recyclable material to be collected by the city is limited to that material generated by each residential unit subject to this section. The recyclable material ~~shall be set aside for separate pickup as recyclable material~~ **must be sorted from the garbage and placed in the recycling cart for collection on the same day as your garbage collection.**
- (d) This section does not in any way prohibit any person or entity from properly selling or disposing of recyclable material on his/her own initiative at his/her own expense. Consignment of recyclable material to or in a landfill does not constitute a proper disposal of recyclable material.
- (3) *Recyclable material collection schedule.* The recyclable material collection shall be every week on the same day as the normally scheduled refuse and garbage collection by the city and at the same pickup location used by the city, ~~except that recyclable paper shall be collected one week and commingled material collected the next. These two materials shall continuously alternate each week thereafter.~~ Recyclable material shall be placed for collection no later than 7:00 a.m. on the day of collection and no earlier than 12 hours prior to the date of collection. If the collection day falls on a holiday, the collection will be on the first working day (Monday through Friday) after the holiday, and each collection route thereafter shall also be delayed one day for the remainder of that week. **The emptied bins cart shall be removed from the street right of way and properly stored within 12 hours after collection.**
- (4) *Improperly prepared recyclable material.* The city may refuse to pick up recyclable material that is not properly prepared or packaged or which otherwise does not comply with the requirements of this section. ~~This includes paper products that are allowed to become wet.~~ **No person shall place any recyclables for collection and disposal if the recyclables were not generated in the city.** The city may also refuse to pick up recyclable material that is reasonably believed to have not been generated by the residential unit placing the material out for collection. If the city refuses to pick up material set out as recyclable material, the city's agents will tag the material with an

information tag that will indicate why the material is not being collected so that the residential unit will be able to take corrective action for future pickups.

- (5) *Collection of recyclable material by unauthorized persons.* When recyclable material is set out for collection in accordance with this section, the recyclable material shall become the property of the city and its authorized agents and employees. No person or entity not employed by or contracted by the city for the purpose of collecting recyclable material shall collect or otherwise take any recyclable material from the place where it is set out for collection. Each separate collection or taking of recyclable material in violation of this section shall constitute a separate offense and shall be subject to the penalty prescribed by section 25.04 of this Municipal Code.
- (6) *Yard waste.* ~~All~~ Yard waste **may not be placed in the garbage or recycling carts.** All yard waste shall be either mulched and worked into the yard or transported by the person or their approved agent generating the yard waste to the city compost site for deposit in the public compost site maintained by the city in accordance with such regulations of the city as are approved and posted at the compost site.
- (7) *Effect of inconsistency with section 12.015.* This section is intended to supersede and replace section 12.015 of this chapter as to the collection of recyclable material only and any portions of section 12.015 that are inconsistent with this section as to recyclable material are repealed and replaced by this section.

Respectfully submitted,
COMMUNITY PROTECTION AND SERVICES COMMITTEE
By: Stewart Fett, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: March 14, 2013.

Introduced by _____.

Moved by Alderperson _____, seconded by

Alderperson _____ that said recommendation be adopted.

Passed by the Council on the _____ day of _____, 2013.

EXECUTIVE SUMMARY

DATE: February 8, 2013

TITLE: Ordinance 12.015 and 12.016 Garbage and Recycling Collection

BACKGROUND: In November of 2012, the City received new garbage and recycling trucks that allows for automatic collection of these materials. Staff has revised Ordinance 12.015 and 12.016 to reflect the changes that occurred because of the switch.

ANALYSIS: Changes reflected in the new ordinance include but are not limited to:

- Defining the size of the cart
- Allowing only the carts provided by the City to be used for collection
- Defining the collection point and that carts need to be at least 3 feet away from any other object, including other carts

FISCAL IMPACT: There is no fiscal impact

RECOMMENDATION: Staff recommends accepting the ordinance as submitted

Prepared by: 
Bob Bordeau
Municipal Services Superintendent

Date: 2/17/2013

Reviewed by: 
Stephanie Reinhardt
City Clerk

Date: 2/12/2013


Steve McNeil
City Administrator

Date: 2/12/2013

ORDINANCE NO. _____

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

SECTION 1: Section 17.05 of the Municipal Code of the City of Sturgeon Bay, Wisconsin is hereby repealed and recreated to read as follows:

17.05 Licenses

(1) *Required.* No person, either individually, as a member of a firm or as an officer or employee of a corporation, shall conduct the business of electrical wiring, electrical construction or contracting unless such person shall have a license, **registration, or certification** as required by this chapter **section 101.862 of the Wisconsin Statutes.**

~~(2) *Electrical licenses.*~~

- ~~(a) — *Contractor's license.* Before entering into a contract with a second party, firm, corporation or partnership to install, alter or repair any electrical wiring, fixtures, devices or equipment, and all electrical work as defined in section 17.02, such person shall be licensed as an electrical contractor by the city upon being found competent as to that person's technical qualifications and financial responsibilities. A contractor shall, with application for license or renewal thereof, file a certificate of insurance with the chief of the inspection department, showing that the contractor maintains public liability insurance in the amount of at least \$500,000.00 for each occurrence including products and completed operations and personal injury coverage. Each contractor shall also register all work executed by the contractor. Each contractor shall also register all journeymen and apprentices performing work for them in the city. All such journeymen and apprentices shall be licensed by the city.~~
- ~~(b) — *Master electrician's license.* Before any person shall be licensed as a master electrician, that person must present a valid state master electrician certificate to the chief of the inspection department; however, any master electrician holding a valid city master electrician's license on May 1, 1986, may continue to renew that license without obtaining a state certificate.~~
- ~~(c) — *Journeyman's license.* Before any person shall be licensed as a journeyman electrician, that person must present a validated journeyman license to the chief of the inspection department. However, any journeyman holding a valid city journeyman electrician license upon date of adoption may continue to renew that license without obtaining state certification.~~
- ~~(d) — *Apprentice license.* Any person who does not hold a valid master electrician or journeyman license and is employed by a contractor to assist in the installation of~~

~~electrical work shall be licensed as an apprentice electrician prior to performing any electrical work. No apprentice shall be allowed to work without direct supervision of a master or journeyman electrician.~~

~~(e) *Restricted electrical license.* Any person who is a full-time employee of a manufacturing firm, business, or institution, and holds a valid state master electrician license, may apply for a restricted electrical license to do maintenance and minor wiring within the firm, business, or institution for which they are employed. This class of license would not require the holder to have a city of electrical contractor's license.~~

~~(3) *Issuance.* Contractor's, master's, journeyman's and apprentice licenses shall be issued by the city subject to the provisions of this section. Such licenses shall not be assignable or transferable. Application for a license shall be made to the chief of the inspection department.~~

~~(4) *Exceptions.*~~

~~(a) Any public utility may perform electrical work on its own property or any property on which an easement has been granted to the public utility.~~

~~(b) A homeowner may personally perform electrical work in a single family dwelling in which he/she resides beyond the main disconnect. A permit must be procured and work inspected and approved in the same manner as for a licensed contractor. An owner must conform with all rules and regulations of this chapter.~~

~~(5) *License fees.* Initial and annual renewal fees for the following licenses shall be in amounts as set by the common council:~~

~~*License*~~

~~Contractor's~~

~~Master's~~

~~Master's Elec. Restricted~~

~~Journeyman's~~

~~Apprentice~~

~~(6) *Renewal of license.* All licenses shall be issued for one year, commencing on July 1 and expiring on June 30 following, unless sooner revoked.~~

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

Approved:

Thad Birmingham, Mayor

Attest:

Stephanie L. Reinhardt, City Clerk

EXECUTIVE SUMMARY

DATE: March 26, 2013
TITLE: Reconstruction of N. 4th Avenue from Jefferson St to 500' north of Iowa St and W. Oak St from Madison Ave to Lansing Ave

BACKGROUND: The City solicited bids for two road reconstruction projects – N. 4th Ave and W. Oak St. The projects include replacement of utilities. Six bids were opened on Thursday March 21, 2013 at 1:00 PM. Dorner, Inc. submitted the low bid of \$572,849.25. The bids for the street and storm sewer work are very close to the budget estimate and Sturgeon Bay Utilities' portion is lower than estimated. Attached is a spreadsheet of the 3 lowest bids.

This project has again allowed the City to work closely with SBU to save on engineering, bidding and construction costs.

FISCAL IMPACT: The total cost can be broken into the following line items:

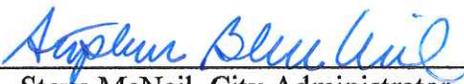
	<u>Amount</u>	<u>Budget line and amount available</u>
Road work	\$148,625	#10 400 000 59095 \$350,000
Curbing & Sidewalks	\$ 70,350	#10 440 000 59102 \$ 50,000
Storm Sewer	\$ 65,315	#10 300 000 59115 \$ 80,000
SBU	\$279,160	

There will be a need to shift \$20,350 in the budget from the Road work line to the Curbing & Sidewalks line. This Curbing & Sidewalks line was trimmed to \$50,000 for the 2013 budget, but at that time the City did not have accurate estimates for the quantity of work.

RECOMMENDATION: It is staff's recommendation to award the reconstruction contract for N. 4th Avenue and W. Oak Street to Dorner, Inc.

SUBMITTED BY: _____
 Anthony Depies, City Engineer

REVIEWED BY:  _____
 Marty Olejniczak, Community Development Director

REVIEWED BY:  _____
 Steve McNeil, City Administrator

N. 4th Avenue				Dorner		Peters		De Groot	
Item Description	Unit	Quantity	Unit price	Line item total	Unit price	Line item total	Unit price	Line item total	
Mobilization	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 11,500.00	\$ 11,500.00	\$ 2,828.00	\$ 2,828.00	
Remove street trees	EA	10	\$ 155.00	\$ 1,550.00	\$ 500.00	\$ 5,000.00	\$ 505.00	\$ 5,050.00	
Remove and salvage street signs	EA	11	\$ 50.00	\$ 550.00	\$ 25.00	\$ 275.00	\$ 126.00	\$ 1,386.00	
Remove asphalt road pavement	SY	4047	\$ 1.00	\$ 4,047.00	\$ 1.70	\$ 6,879.90	\$ 0.76	\$ 3,075.72	
Remove concrete Sidewalk and driveways	SF	12195	\$ 0.26	\$ 3,170.70	\$ 0.33	\$ 4,024.35	\$ 0.66	\$ 8,048.70	
Excavation unclassified base aggregate,	CY	2233	\$ 7.35	\$ 16,412.55	\$ 7.25	\$ 16,189.25	\$ 7.95	\$ 17,752.35	
Crushed Stone No. 1 & 2	CY	1323	\$ 15.90	\$ 21,035.70	\$ 15.00	\$ 19,845.00	\$ 19.82	\$ 26,221.86	
Remove and Curb & Gutter	LF	1323	\$ 1.00	\$ 1,323.00	\$ 1.65	\$ 2,182.95	\$ 1.52	\$ 2,010.96	
Install Sign Post	EA		\$ 51.00	\$ -		\$ -		\$ -	
Concrete Curb, 30-Inch	LF	2228	\$ 9.45	\$ 21,054.60	\$ 9.25	\$ 20,609.00	\$ 9.63	\$ 21,455.64	
Concrete Sidewalk, 4-Inch	SF	9494	\$ 3.30	\$ 31,330.20	\$ 3.40	\$ 32,279.60	\$ 3.79	\$ 35,982.26	
New Concrete Sidewalk, 6 Inch	SF	2701	\$ 3.90	\$ 10,533.90	\$ 4.00	\$ 10,804.00	\$ 4.96	\$ 13,396.96	
Cast Iron Warning Fields, 2 x 4 Feet	EA	10	\$ 225.00	\$ 2,250.00	\$ 220.00	\$ 2,200.00	\$ 228.87	\$ 2,288.70	
Concrete Pavement, 8 1/2 Inch	SF	40	\$ 13.00	\$ 520.00	\$ 15.00	\$ 600.00	\$ 18.06	\$ 722.40	
Asphaltic Binder Course, 2-Inch Asphalt	TON	437	\$ 74.90	\$ 32,731.30	\$ 73.40	\$ 32,075.80	\$ 76.36	\$ 33,369.32	
Asphaltic Surface Course, 2-Inch	TON	327	\$ 73.10	\$ 23,903.70	\$ 71.60	\$ 23,413.20	\$ 74.49	\$ 24,358.23	

N. 4th Avenue		Dorner			Peters			De Groot		
Asphaltic Surface (alley, driveway and parking), 3-Inch	TON	10	\$ 194.00	\$ 1,940.00	\$ 190.00	\$ 1,900.00	\$ 228.87	\$ 2,288.70		
Connect to Existing Sanitary Main (not at manhole)	EA	1	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 757.50	\$ 757.50		
Sanitary Manhole - 4 Foot Diameter	VF	38.69	\$ 335.00	\$ 12,961.15	\$ 267.00	\$ 10,330.23	\$ 344.01	\$ 13,309.75		
Slip line 8" PVC Sanitary sewer	LF	34	\$ 35.00	\$ 1,190.00	\$ 30.00	\$ 1,020.00	\$ 33.24	\$ 1,130.16		
8 Inch Sanitary Main - C-900	LF	395	\$ 35.00	\$ 13,825.00	\$ 26.65	\$ 10,526.75	\$ 31.87	\$ 12,588.65		
8 Inch Sanitary Main - SDR 35	LF	800	\$ 30.00	\$ 24,000.00	\$ 39.95	\$ 31,960.00	\$ 27.63	\$ 22,104.00		
6 Inch Sanitary Lateral	LF	632	\$ 25.00	\$ 15,800.00	\$ 31.00	\$ 19,592.00	\$ 26.31	\$ 16,627.92		
2" Polystyrene Insulation (for Sanitary Main)	SF	1152	\$ 2.00	\$ 2,304.00	\$ 1.00	\$ 1,152.00	\$ 3.03	\$ 3,490.56		
2" Polystyrene Insulation (for Sanitary Service)	SF	632	\$ 2.00	\$ 1,264.00	\$ 1.00	\$ 632.00	\$ 3.03	\$ 1,914.96		
Sanitary Lateral Connections (Fernco)	EA	28	\$ 200.00	\$ 5,600.00	\$ 1.00	\$ 28.00	\$ 367.19	\$ 10,281.32		
Connect to Existing Water Main	EA	4	\$ 1,200.00	\$ 4,800.00	\$ 975.00	\$ 3,900.00	\$ 1,666.50	\$ 6,666.00		
8 Inch Water Main	LF	727	\$ 36.00	\$ 26,172.00	\$ 45.95	\$ 33,405.65	\$ 45.21	\$ 32,867.67		
8" Watermain (common trench)	LF	396	\$ 31.00	\$ 12,276.00	\$ 39.50	\$ 15,642.00	\$ 35.33	\$ 13,990.68		
8 Inch Gate Valve and Box	EA	4	\$ 1,300.00	\$ 5,200.00	\$ 1,275.00	\$ 5,100.00	\$ 1,565.87	\$ 6,263.48		
12" ductile Watermain	LF	42	\$ 110.00	\$ 4,620.00	\$ 179.00	\$ 7,518.00	\$ 58.97	\$ 2,476.74		
12" valve	EA	2	\$ 2,400.00	\$ 4,800.00	\$ 2,300.00	\$ 4,600.00	\$ 2,626.52	\$ 5,253.04		
Hydrant 6.5 foot Bury	EA	2	\$ 2,750.00	\$ 5,500.00	\$ 2,650.00	\$ 5,300.00	\$ 2,900.48	\$ 5,800.96		

N. 4th Avenue		Dorner		Peters		De Groot		
6 Inch Water Main	LF	38	\$ 39.00	\$ 1,482.00	\$ 35.00	\$ 1,330.00	\$ 39.42	\$ 1,497.96
6 Inch Valve	EA	2	\$ 950.00	\$ 1,900.00	\$ 950.00	\$ 1,900.00	\$ 1,138.90	\$ 2,277.80
Water service Connections	EA	32	\$ 500.00	\$ 16,000.00	\$ 200.00	\$ 6,400.00	\$ 579.39	\$ 18,540.48
1" Copper Waterservice	LF	638	\$ 21.00	\$ 13,398.00	\$ 27.00	\$ 17,226.00	\$ 22.50	\$ 14,355.00
Temporary Services 4th Ave	LS	1	\$ 2,200.00	\$ 2,200.00	\$ 4,000.00	\$ 4,000.00	\$ 5,555.00	\$ 5,555.00
2" Polystyrene Insulation for watermain	SF	2240	\$ 2.00	\$ 4,480.00	\$ 1.00	\$ 2,240.00	\$ 3.03	\$ 6,787.20
2" Polystyrene insulation for water services	SF	638	\$ 2.00	\$ 1,276.00	\$ 1.00	\$ 638.00	\$ 3.03	\$ 1,933.14
Extend 1" services through the foundation wall 368 Jefferson St.	LS	1	\$ 2,500.00	\$ 2,500.00	\$ 500.00	\$ 500.00	\$ 505.00	\$ 505.00
Connect to Existing Storm Sewer	EA	2	\$ 1,500.00	\$ 3,000.00	\$ 250.00	\$ 500.00	\$ 1,194.33	\$ 2,388.66
Storm Manhole, 4 Foot Dia	VF	41.87	\$ 320.00	\$ 13,398.40	\$ 181.00	\$ 7,578.47	\$ 392.72	\$ 16,443.19
Storm Inlet, 2x3 Feet	EA	8	\$ 1,400.00	\$ 11,200.00	\$ 1,230.00	\$ 9,840.00	\$ 1,345.25	\$ 10,762.00
24 Inch Storm ADS	LF	40	\$ 88.00	\$ 3,520.00	\$ 135.00	\$ 5,400.00	\$ 45.80	\$ 1,832.00
18 Inch Storm Concrete	LF	49	\$ 35.00	\$ 1,715.00	\$ 47.25	\$ 2,315.25	\$ 40.40	\$ 1,979.60
18 Inch Storm ADS	LF	604	\$ 38.00	\$ 22,952.00	\$ 36.95	\$ 22,317.80	\$ 34.85	\$ 21,049.40
12 Inch Storm ADS	LF	179	\$ 28.00	\$ 5,012.00	\$ 32.70	\$ 5,853.30	\$ 33.60	\$ 6,014.40
Abandon 300' 18" storm s	EA	1	\$ 2,500.00	\$ 2,500.00	\$ 600.00	\$ 600.00	\$ 2,020.00	\$ 2,020.00
Rock Excavation	CY	60	\$ 75.00	\$ 4,500.00	\$ 110.00	\$ 6,600.00	\$ 126.25	\$ 7,575.00
Inlet Protection	EA	5	\$ 50.00	\$ 250.00	\$ 30.00	\$ 150.00	\$ 28.28	\$ 141.40

W. Oak Street				Dorner		Peters		De Groot	
Item Description	Unit	Quantity	Unit price	Line item total	Unit price	Line item total	Unit price	Line item total	
Mobilization	LS	1	\$ 3,500.00	\$ 3,500.00	\$ 1.00	\$ 1.00	\$ 2,828.00	\$ 2,828.00	
Remove concrete Sidewalk and Driveways	SF	1400	\$ 0.40	\$ 560.00	\$ 0.50	\$ 700.00	\$ 0.51	\$ 714.00	
Remove Asphalt Road Pavement	SY	2185	\$ 1.10	\$ 2,403.50	\$ 1.40	\$ 3,059.00	\$ 1.01	\$ 2,206.85	
Remove and salvage Street Signs	EA		\$ 50.00	\$ -		\$ -		\$ -	
Excavation unclassified Base Aggregate, Crushed Stone No. 1 & 2 (measured in place) 12-1/2 inch	CY	812	\$ 7.65	\$ 6,211.80	\$ 7.85	\$ 6,374.20	\$ 7.07	\$ 5,740.84	
Remove and Curb & Gutter	LF	200	\$ 1.00	\$ 200.00	\$ 3.00	\$ 600.00	\$ 2.02	\$ 404.00	
Install Sign Post	EA		\$ 51.00	\$ -		\$ -		\$ -	
Concrete Curb, 30-Inch	LF	200	\$ 18.50	\$ 3,700.00	\$ 18.00	\$ 3,600.00	\$ 19.74	\$ 3,948.00	
Concrete Sidewalk, 4-Inch	SF	1250	\$ 4.10	\$ 5,125.00	\$ 4.25	\$ 5,312.50	\$ 4.62	\$ 5,775.00	
New Concrete Sidewalk, 6 Inch	SF	150	\$ 5.00	\$ 750.00	\$ 13.00	\$ 1,950.00	\$ 6.62	\$ 993.00	
Asphaltic Binder Course, 2-Inch Asphalt	TON	240	\$ 74.90	\$ 17,976.00	\$ 73.40	\$ 17,616.00	\$ 76.36	\$ 18,326.40	
Asphaltic Surface Course, 2-Inch	TON	180	\$ 73.10	\$ 13,158.00	\$ 71.60	\$ 12,888.00	\$ 74.49	\$ 13,408.20	
Sanitary Manhole - 4 Foot Diameter	VF	21.05	\$ 215.00	\$ 4,525.75	\$ 197.00	\$ 4,146.85	\$ 262.04	\$ 5,515.94	
Slip line 8" PVC Sanitary Sewer	LF	50	\$ 35.00	\$ 1,750.00	\$ 25.00	\$ 1,250.00	\$ 36.37	\$ 1,818.50	

	Dorner			Peters			De Groot		
8 Inch Sanitary Main - SDR 35	LF	510	\$ 35.00	\$ 17,850.00	\$ 31.50	\$ 16,065.00	\$ 34.00	\$ 17,340.00	
6 Inch Sanitary Lateral	LF	350	\$ 27.00	\$ 9,450.00	\$ 29.00	\$ 10,150.00	\$ 26.57	\$ 9,299.50	
Lateral (Ferno) Connections	EA	14	\$ 150.00	\$ 2,100.00	\$ 1.00	\$ 14.00	\$ 341.78	\$ 4,784.92	
2" Polystyrene Insulation for (for Sanitary Services)	SF	350	\$ 2.00	\$ 700.00	\$ 1.00	\$ 350.00	\$ 3.03	\$ 1,060.50	
Temporary Services Oak St	LS	1	\$ 1,100.00	\$ 1,100.00	\$ 2,500.00	\$ 2,500.00	\$ 3,535.00	\$ 3,535.00	
Connect to Existing Water Main	EA	2	\$ 1,150.00	\$ 2,300.00	\$ 650.00	\$ 1,300.00	\$ 1,515.00	\$ 3,030.00	
8 Inch Water Main	LF	504	\$ 36.00	\$ 18,144.00	\$ 41.50	\$ 20,916.00	\$ 43.10	\$ 21,722.40	
8 Inch Gate Valve and Box	EA	1	\$ 1,300.00	\$ 1,300.00	\$ 1,275.00	\$ 1,275.00	\$ 1,623.82	\$ 1,623.82	
10" ductile Water Main	LF	10	\$ 125.00	\$ 1,250.00	\$ 100.00	\$ 1,000.00	\$ 68.64	\$ 686.40	
10" valve	EA	1	\$ 1,900.00	\$ 1,900.00	\$ 1,875.00	\$ 1,875.00	\$ 2,200.45	\$ 2,200.45	
Hydrant 6.5 foot Bury	EA	0	\$ 2,800.00	\$ -	\$ -	\$ -	\$ -	\$ -	
6 Inch Water Main	LF	0	\$ 39.00	\$ -	\$ -	\$ -	\$ -	\$ -	
6 Inch Valve	EA	0	\$ 950.00	\$ -	\$ -	\$ -	\$ -	\$ -	
Water main Connections	EA	14	\$ 500.00	\$ 7,000.00	\$ 200.00	\$ 2,800.00	\$ 578.32	\$ 8,096.48	
1" Copper Water Service	LF	380	\$ 21.00	\$ 7,980.00	\$ 27.00	\$ 10,260.00	\$ 22.00	\$ 8,360.00	
2" Polystyrene Insulation (for Water Services)	SF	380	\$ 2.00	\$ 760.00	\$ 1.00	\$ 380.00	\$ 3.03	\$ 1,151.40	
Inlet Protection	EA	2	\$ 50.00	\$ 100.00	\$ 30.00	\$ 60.00	\$ 25.25	\$ 50.50	
N. 4th Ave total			\$ 429,448.20		\$ 436,373.50		\$ 477,416.41		
W. Oak St total			\$ 143,401.05		\$ 137,757.55		\$ 158,606.90		
Grand Total			\$ 572,849.25		\$ 574,131.05		\$ 636,023.32		

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Community Protection and Services Committee, hereby recommend to install streetlight by alley on Oak Street, Pole #10G-9-4-8.

Respectfully submitted,
COMMUNITY PROTECTION AND SERVICES COMMITTEE
By: Stewart Fett, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: March 14, 2013.

* * * * *

Introduced by _____.

Moved by Alderperson _____, seconded by

Alderperson _____ that said recommendation be adopted.

Passed by the Council on the _____ day of _____, 2013.

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL

We, the Sturgeon Bay Revolving Loan Fund Committee, hereby recommend approval of revisions to the CDBG-ED Capitalized Revolving Loan Program Policies and Procedures Manual for the City of Sturgeon Bay per the attached. (Changes in red)

The changes are required by the Wisconsin Department of Administration and The U.S. Department of Housing and Urban Development (HUD) and include but are not limited to the following:

- A. Low and Moderate Income (LMI) persons benefit requirements
- B. Anti-pirating job provision

Respectfully submitted,
Sturgeon Bay Revolving Loan Fund Committee
By: Greg Stephan, Vice-Chairman

RESOLVED, that the foregoing recommendation be adopted.

Dated: _____

Introduced by _____,

Moved by Alderperson _____, seconded by

Alderperson _____ that said recommendation be adopted.

Passed by the Council on the _____.

CDBG-ED CAPITALIZED REVOLVING LOAN PROGRAM
POLICIES AND PROCEDURES MANUAL

CITY OF STURGEON BAY, WISCONSIN

APPROVED 1-20-98
REVISED 11-06-01
REVISED 08-16-05
REVISED 2013

Contact Information: William D. Chaudoir, Executive Director
Door County Economic Development Corporation
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SECTION 1. GENERAL PROVISIONS

1.1 PURPOSE

The purpose of the policies and procedures contained within this manual, hereafter referred to as the Economic Development Revolving Loan Fund Manual, is to present the criteria which governs the economic development activities assisted with funds made available through the City of Sturgeon Bay's Community Development Block Grant-Economic Development (CDBG-ED) Revolving Loan Fund (RLF) program.

1.2 OBJECTIVES

Economic development activities assisted with funds made available through this program are intended to meet the following objectives:

- (1) To encourage the creation and retention of permanent jobs which provide a wage appropriate to the skills and experience of the local labor force and that is competitive. A minimum of 51 percent of the jobs created or retained shall be made available to low and moderate income persons.
- (2) To encourage the leveraging of new private investment in the City of Sturgeon Bay in the form of fixed asset investment, particularly in land and buildings.
- (3) To perpetuate a positive and proactive business climate which encourages the retention and expansion of existing businesses and helps to attract desirable new businesses.
- (4) To implement the Community's Economic Development Plan goals and objectives.
- (5) To maintain and promote a diverse mix of employment opportunities and to minimize seasonal or cyclical employment fluctuations.
- (6) To encourage the development and use of modern technology and create safe work environments.
- (7) To encourage dairy producers to undertake capital improvement projects that will result in a significant increase in milk production.

1.3 AMENDMENTS AND MODIFICATIONS

The Community may from time to time amend the provisions imposed by the policies and procedures contained within the RLF manual and such amendments are subject to prior written approval by the Wisconsin Economic Development Corporation, administrator of the Wisconsin Community Development Block Grant Program (CDBG) that provides the funds used to capitalize the RLF.

SECTION 2. ADMINISTRATION

2.1 LOAN REVIEW BOARD

- (1) The Community should establish a formal Loan Review Committee which should consist of individuals representative of broad Community interests, and having special expertise and knowledge of commercial lending and economic development processes. Members should possess skills in business, finance, credit analysis, loan packaging and loan servicing and need to be cognizant of city economic needs and priorities. The committee shall be composed of the following members: the Mayor, one City Council Member, two Bankers, and one Certified Public Accountant.

- (2) The Loan Review Committee shall have the authority to review, select and recommend loan applications to the governing body for final approval. The Committee shall also have the authority to make policy recommendations for the administration of the program. Periodic activity reports prepared by the RLF Administrator shall be provided to members of the Community's governing body.
- (3) The RLF Administrator shall explain the Program to prospective applicants, provide written information, assist applicants in completing applications, and process requests for financing. The Administrator, where necessary and appropriate, shall counsel or guide loan applicants to other more appropriate technical and financial resources when the loan applicant has needs beyond those available from the RLF program.
- (4) The Administrator shall periodically review all financial statements and loan amortization schedules of RLF loan recipients, review and approve documentation of business expenditures financed with RLF proceeds, record RLF security instruments, maintain the RLF accounting records which shall be segregated from other community accounts, and report semi-annually to the Wisconsin Economic Development Corporation regarding the use of the RLF funds.
- (5) The City attorney shall prepare all loan agreements, record RLF security instruments, review all promissory notes and mortgage or lien instruments, and counsel the Community on default matters.
- (6) The RLF Administrator shall be responsible for the maintenance of all other records for the local RLF; particularly those related to the expenditures of the RLF monies for program administration purposes.

2.2 MEETINGS

Loan review meetings shall be held on an as-needed basis. Pursuant to Section 19.84, Wisconsin Statutes, all Committee members and the general public shall be given prior notice of each meeting. A majority of the Committee in attendance at a meeting constituting a quorum shall be required for official Committee action. Official actions must have the support of the majority of the total Committee. Vacant positions on the Committee shall be counted in determining the total number of Committee members. Meetings of the City Council are held on the first and third Tuesdays of each month at the City Hall located at 36 South Third Avenue, Sturgeon Bay, Wisconsin.

2.3 RECORDS

Written records of all program activities, including program meetings, loan applications, and related documents, shall be maintained in appropriate files. All files should be maintained in a secure place with limited access by authorized personnel. The Community's legal counsel shall be consulted in regard to compliance with state and municipal open records laws.

The following files shall be established and maintained for each loan recipient:

- (1) Loan Application File: All application, business financial statements, personal financial statements, credit reports, business plan documents, and other supporting loan information submitted to the Community, including all applicable correspondence, shall be placed in a permanent file.
- (2) Loan Recommendation File: This file should contain a summary of the analysis, recommended actions for the application, and a copy of the minutes for the Loan Review Committee meeting summarizing the action taken on the loan request.

- (3) Loan Closing File: This file contains copies of all loan closing documents. This file contains all the legal documents from the loan closing, including security instruments, the note and other applicable correspondence and shall be placed in a locked, fireproof safe. The Community's attorney should be involved in helping create and complete this file to insure complete loan documentation. Copies of the loan closing documents and an amortization schedule will be provided to the loan recipient, along with an invoice, if applicable, for loan closing and servicing fees.
- (4) "Tickler File" System: A tickler file system should be established and maintained to ensure that loan repayments, financial information, the loan agreement, UCC updates, and other time sensitive documentation requirements are tracked and obtained as required. The system should include the following monthly coded index files:
 - 1) Expiration dates for property, casualty and life insurance policies;
 - 2) Due dates for all financial statements;
 - 3) Expiration dates for UCC financing statements, the reminder to update being at least 45 days prior to the expiration of the UCC filing on hand;
 - 4) Scheduled dates of annual loan performance and covenant reviews;
 - 5) Dates for site visits;
 - 6) Due dates for property tax payments and dates by which the community expects to hear from the borrower regarding confirmation of payment of taxes;
 - 7) Review dates for job monitoring; and
 - 8) Dates on which loan recipients will be notified of scheduled changes in the loan amortization scheduled per loan agreements.
- (5) Financial Statement File: This file should contain the business' periodic financial statements as required by the loan covenants with a statement indicating that the RLF administrator reviewed the data.
- (6) Progress Report File: Loan recipients should be required to submit periodic progress reports during the outstanding term of the loan. The Community should make periodic site visits to verify information in the progress report and financial statements. These site visits should be documented for the file.
- (7) Site Visit File: Site visits should be conducted periodically to each loan recipient, the scheduling of which depends on the nature of the project. A summary of the site visits should be placed in the file, particularly highlighting any information that can help in rating the overall condition/risk of the loan.
- (8) Repayment Monitoring File: This file should include the loan amortization schedule, status of payments, and the outstanding balance of the loan. Observations suggesting concerns or problems should be reported to the RLF Committee and notations shall be placed in the tickler file to remind the administrator of the need to provide continued monitoring. If payments are made to an office (i.e. controller's or clerk's), there needs to be in the file receipts of payments and there needs to be a system in place to insure the timely notification of payments to the RLF administrator.

The Community will notify the loan recipient in writing of the deficiency and the action that will be taken should the payment not be made. Should there be a late payment, the Community will contact the loan recipient to determine the reason for the delayed payment. Contact may need to be made with other participating lender(s) to determine if their loans are current and to alert the lender of a potential problem. All payments shall be applied first to accrued late payment penalties, then to interest accrued, and then to principal.

- (9) Loan Review File: All loans are to be reviewed on an annual basis, and at such other times as may be deemed necessary by the Community. The review should follow receipt of the fiscal year-end financial statements, the year-end progress reports, and site visits. A report on the loan review shall be in the file and address the following: timeliness of monthly payments; condition of collateral securing the loan and status of security documents (i.e. mortgages, UCC filings); overall financial condition of the business; the presence of material liens or lawsuits; and violations of loan covenants and suggested corrective actions.

If the business is experiencing problems with any of the above criteria, the RLF Administrator is to work with the loan recipient to identify actions that are needed to correct the identified deficiencies, including possible restructuring of the loan to protect the Community's interest and meet the needs of the business. If appropriate, the Administrator will arrange for business assistance, including services available through the University of Wisconsin-Extension, Small Business Development Center (SBDC), the Service Corp of Retired Executives (SCORE), and other entities having an interest in serving the needs of businesses.

In the event the findings of the loan review suggest serious problems, particularly if the loan is at risk for default, the account should be turned over to the Community attorney for legal action in order to initiate steps necessary to protect the loan and to insure the maximum repayment of the balance due. Again, corrective actions may be achieved through restructuring or if necessary, foreclosure actions.

2.4 ADMINISTRATION

Reasonable administrative funds may be withdrawn from the RLF to cover personnel costs and other administrative expenses. Local funds may be used in situations when loan repayments are insufficient to cover administrative costs. Administrative expenses up to fifteen (15) percent of program income may be used for direct loan administrative costs. In addition to paying costs for a RLF administrator, these funds may be used for the following:

- (a) Legal costs.
- (b) Consulting fees for credit analysis, business plan reviews and technical assistance.
- (c) Office supplies, copying, typing, mailing, and related.
- (d) Training costs.
- (e) Closing costs.

To generate additional revenue to cover administrative costs, the Community may also establish loan origination fees, closing fees, servicing fees, and other fees to cover charges directly related to either processing an application or servicing a loan. All fees collected go to the RLF. The accounting of the fee revenue placed in the RLF should include separate line items to track administrative expenses recovered.

SECTION 3. ELIGIBILITY CONSIDERATIONS

3.1 ELIGIBLE AREA

The area served by the program shall be within the city limits of the City of Sturgeon Bay.

3.2 ELIGIBLE APPLICANTS

- (1) Applications may be submitted by the sole proprietor or Chief Executive Officer of any business wishing to establish a new operation or expand an existing operation in the Community.
- (2) No member of the governing body, loan review board, or any other official, employee, or agent of the Community who exercises decision-making functions or responsibilities in connection with the implementation of this program is eligible for financial assistance under this program.
- (3) No program loans will be made which are in conflict with Section 946.13 of the Wisconsin Statutes (Private Interest in Public Contract Prohibited).
- (4) Applicants shall not be disqualified based on age, race, religion, color, handicap, sex, physical condition, development disability as defined in s. 51.01(5), sexual orientation or national origin.

3.3 ELIGIBLE ACTIVITIES

Program loans shall be available to eligible applicants for the following activities:

- (1) The acquisition of land, buildings, and fixed equipment.
- (2) Site preparation and the construction or reconstruction of buildings or the installation of fixed equipment.
- (3) Clearance, demolition, or the removal of structures or the rehabilitation of buildings and other such improvements.
- (4) The payment of assessments for sewer, water, street, and other public utilities if the provision of the facilities will directly create or retain jobs.
- (5) Working capital (inventory and direct labor costs only)
- (6) Purchase of dairy cows resulting in significant long-term increases in capacity to produce milk.

3.4 INELIGIBLE ACTIVITIES

Program loans shall not be available for the following activities:

- (1) Refinancing or consolidating of existing debt.
- (2) Reimbursement for expenditures prior to loan approval.
- (3) Specialized equipment that is not essential to the business operation.
- (4) Residential building construction or reconstruction (unless such reconstruction is intended to convert the building to a business or industrial operation).
- (5) Routine maintenance.

- (6) Professional services such as feasibility and marketing studies, accounting, management services, and other similar services. Legal services incurred in the closing of a RLF loan are eligible.
- (7) Other activities that the Loan Review Committee may identify during the administration of the program.

3.5 INELIGIBLE BUSINESS

Program loans shall not be available for the following businesses:

- (1) Speculative investment companies.
- (2) Real estate investment companies.
- (3) Lending institutions.
- (4) Gambling operations.
- (5) Non-public recreation facilities.
- (6) Other businesses not serving the interests of the Community.

3.6 MINIMUM REQUIREMENTS

To be eligible for funding, a proposed project must meet all of the following minimum requirements:

- (1) Private Funds Leveraged. The applicant must leverage a minimum of one dollar (\$1.00) of private funds for every one dollar (\$1.00) of loan funds requested. Higher leverage may be required at the discretion of the Loan Review Committee.
- (2) Cost Per Job Created or Retained. At least one (1) full-time permanent position or full-time equivalent must be created or retained for every \$20,000 of program funds requested. *The Committee may require lower job cost where warranted, (i.e. taking into consideration type of jobs, hourly wage, etc.)*
- (3) Financial Feasibility and Business Viability. The applicant must demonstrate that the proposed project is viable and the business will have the economic ability to repay the funds.
- (4) Low and Moderate Income (LMI) Benefits. *Each project must demonstrate that it meets the CDBG-ED national objective of benefiting low to moderate income persons as defined by CDBG regulations.*

The project shall create jobs, at least 51% of the jobs will be held by or Made Available to LMI Persons.

"LMI Persons" means persons with household income less than eighty (80) percent of the median household income by family size in the County where the Project is located.

"Made Available to LMI Persons" means the Borrower will document that at least 51% LMI

Persons were hired or Received First Consideration by interviewing at least 51% LMI Persons for created positions that do not require special skills or education beyond high school.

"Received First Consideration" means the Borrower must document and use a hiring practice that results in at least 51% LMI Persons interviewed for created positions and demonstrate that under usual circumstances this hiring practice will result in at least 51% LMI persons being hired. Part of the Borrower's hiring practice must include the posting of available positions with the local Job Service Office or Workforce Development Boards.

The following documentation evidencing compliance must be collected:

A listing of all job titles which were planned to be held by or made available to low to moderate income persons, a commitment to hire or make at least 51% of jobs available to low to moderate income persons, a written plan for how such persons were given first consideration for jobs including what hiring process was used, a list of the low to moderate income persons interviewed for particular positions, including the size and annual income of the person's family prior to interviewing for the position.

- (5) Compliance With Applicable Laws. Applicants shall comply with all applicable local, state, and federal laws and codes.
- (6) Project Completion. Projects shall be completed within 24 months from the date of the loan approval. Applicants shall provide the Community a project implementation schedule not exceeding 24 months for project completion and job creation and maintain the positions created for 24 months.
- (7) Location. Activities financed under the program must be located within the City of Sturgeon Bay, County of Door, State of Wisconsin.
- (8) Federal Anti-Piracy. The borrower must certify that it does not have immediate plans to relocate jobs in violation of CDBG Anti-Piracy regulations. The following language will be included in all agreements with the borrower: "The Borrower certifies it is and will maintain compliance with CDBG Anti-Piracy regulations as stated in 24 CFR 570.482(h). Violation of this regulation will constitute an Event of Default."

SECTION 4. TERMS AND CONDITIONS

4.1 TERMS AND CONDITIONS

Loan terms and conditions shall be structured on need and ability to repay. Minimum standards shall include the following:

- (1) Loan Amount. Loan amounts are subject to the availability of program funds. There is a minimum loan amount of \$10,000 and a maximum loan amount of \$250,000.
- (2) Interest Rate. The interest rate shall be established by the Loan Review Committee.
- (3) Terms for Loans.
 - (a) Working capital loans shall have a maximum term of seven years.
 - (b) Loans for machinery, equipment and fixtures shall have a maximum term of ten years.

- (c) Real estate loans shall have a maximum term of 12 years which can be amortized on a 20-year basis with the option of refinancing for an additional eight years.
 - (d) In any case, the loan shall not have a term longer than the terms of the other private financing in the project.
 - (e) Loans will typically include a five to seven year balloon at which time the loan will be reviewed to determine if it can be refinanced by a conventional lender. If this can be done without significant harm to the business involved, the City will require such action in order to roll over RLF funds to be reused for other business development projects.
- (4) Period of Payment. Terms may include longer amortization schedules with balloon payments. Amortization schedules shall be set up for monthly payments.
 - (5) Repayment. Payment of interest and/or principal may be deferred for up to one (1) year if merited in the loan application. Interest shall accrue during the deferment period and may be paid in full or added to the principal amount of the loan. Following the deferral period, interest and principal shall be paid for the remaining term of the loan.
 - (6) Prepayment. There shall be no prepayment penalties.
 - (7) Collateral. The City will seek to have the best collateral position possible to ensure that RLF loans are adequately secured.
 - (8) Closing Costs. The City will charge actual closing costs associated with the loan. This amount shall be payable in full at closing or deducted from the proceeds of the loan. The City will provide the borrower with a written statement itemizing these costs prior to the closing.
 - (9) Federal Requirements. All loan recipients are responsible for complying with all applicable federal, state and local laws and regulations including, but not limited to: Civil Rights Laws, Environmental Laws, Davis Bacon Wage Rate Requirements, Handicapped Access Requirements, Relocation Prohibitions and Lobbying Restrictions.
 - (10) Variance. For unique circumstances or significant projects the Loan Review Committee may recommend lending terms outside these parameters, if deemed appropriate and responsible to the goals of the RLF program.

SECTION 5. APPLICATION PROCEDURES

5.1 DISCUSSION OF REQUIREMENTS

Prior to submitting an application, the applicant shall discuss the program with the Administrator. The Administrator shall assist the applicant, as is reasonably necessary, in completing the application. All financial information should be kept in a secured place with limited access by authorized personnel only.

5.2 TIMING

Applications may be submitted at any time during the calendar year.

5.3 PRIORITY

Applications shall be reviewed in the order received and based on readiness for the proposed project to proceed. In the event that loan funds requested exceed available funds, the following criteria will be used to determine which business(es) will be awarded the loan(s):

- (1) Job creation/retention
- (2) Jobs that pay at least 150% of minimum wage and offer health insurance benefits
- (3) Year-round jobs
- (4) Eligibility of the applicants.
- (5) Eligibility of the project to be undertaken.
- (6) The extent to which private funds are to be leveraged.
- (7) The extent to which jobs are to be created, and the type jobs and wages.
- (8) The extent to which the loan can be secured.
- (9) Evidence of ability to repay the loan.
- (10) Size of the loan requested.
- (11) Timing of the proposed expenditures
- (12) Completeness of application.
- (13) Other factors as deemed appropriate.

5.4 LOAN APPLICATION

Applicants shall submit an application using the form available from the RLF Program and that includes the following:

- (1) Application. A completed application form.
- (2) Business Description. A written description of the business, including the following:
 - (a) A brief history of the existing or proposed business, including when it started or is to start, type of operation, legal structure, markets, and products.
 - (b) Key customers and clients.
 - (c) A personal resume of each principal associated with the business, including: number of years of experience in the business; educational background; and role in the proposed or existing business.
 - (d) Three years of financial history including balance sheets, profit/loss statements, cash flow statements and accountant notes. For loans over \$100,000, statements shall be compiled or reviewed by an independent accountant.
- (3) Project Description. A description of how the business plans to use the requested funds.
- (4) Commitments from Private Lenders. This consists of commitments from all private lenders making loans to the project. Lender commitment letters should include:
 - (a) Description of the type of loan being made by the lender (first mortgage, permanent financing, construction financing, etc.)
 - (b) The amount of the loan, interest rate, term, and security, availability, and repayment schedule and amounts.

These commitments shall be obtained concurrently with the negotiation of the terms and conditions of the RLF Program loan to insure the interest of the Community are secured.
- (5) Financial Projections. Three year financial projections must be compiled in accordance with GAAP and include a discussion of all significant assumptions. For loans over \$100,000, statements shall be compiled or reviewed by an independent accountant. Furthermore:
 - (a) There must be monthly cash flow statements for the first year.

- (b) Officers' compensation must be separately identified.
 - (c) A separate schedule of debt service showing principal and interest payments for all debts to be carried must be provided.
 - (d) The statements should be based on the assumption that the business will receive the requested loan.
- (6) Equity Investment.
- (a) Provide personal financial statements of the principal(s) in the business.
 - (b) Identify those assets of the business and its principals that are already pledged as security in the business and elsewhere, the creditor who holds the collateral, and those assets which are being pledged to the project.
 - (c) Amount of personal/business funds committed to the project.
- (7) Additional Information. Additional information as may be required by the Loan Review Committee, or the Administrator.

5.5 REVIEW PROCESS

Specific steps in the review process include the following:

- (1) Preliminary Review. The Administrator will review the application for completeness and verify that the proposed project meets the minimum requirements provided in Section 3.6. If the application is not complete, the Administrator will inform the applicant of the deficiencies.
- (2) Formal Review. The Loan Review Committee will meet to review an application within 30 days of the receipt of a completed application or at some other predetermined schedule. Once the review is completed and the proposal is acceptable for funding, the Loan Review Committee will forward the recommendation to the Sturgeon Bay City Council for final approval.
- (3) Negotiation of Terms. Upon the tentative acceptance by the city council, the Administrator will contact the business in writing to review and explain the terms of the loan.
- (4) Notice of Award. If the application is approved, a closing will be scheduled to execute the necessary loan documents.
- (5) Rejection of Award. If the application is not approved, the Administrator will send a letter to the applicant stating the reasons for rejection and offer to meet with the applicant to explore ways to strengthen the loan request or to identify alternative funding sources.

SECTION 6. DISTRIBUTION OF FUNDS

6.1 LOAN PROCEDURES

Prior to releasing funds, the following documentation must be in place or provided at the appropriate time during the term of the loan.

- (1) Notice of Award. The Loan Review Committee and the City Council must have reviewed and approved a complete application for an eligible applicant.

- (2) Loan Agreement. The City attorney shall prepare a loan agreement which shall be executed by the Mayor, the City Clerk/Treasurer and the Chief Executive Officer of the business.
- (3) Promissory Note. A promissory note shall be prepared by the City attorney and signed by the Chief Executive Officer at the time of loan closing. The note must be dated; it must reference the agreement between the Community and the business; and, it must specify the amount and terms of the loan funds delivered.
- (4) Security. Mortgage or lien instruments or personal guarantees provided as security for all loans shall be prepared by the City attorney and executed at the time of the loan closing. The City attorney, or Administrator, shall record the instrument and place a copy in the project file to include:
 - (a) Mortgage and/or security agreement.
 - (b) UCC searches and filing.
 - (c) Guarantee agreement.
 - (d) Title insurance or Abstract
 - (e) Assignment of Life Insurance.
 - (f) Casualty Insurance binder.
 - (g) Personal guarantee.
 - (h) Other documentation as may be appropriate.
- (5) Repayment Schedule. A loan repayment or amortization schedule shall be prepared by the Administrator after the loan proceeds are fully disbursed. The repayment schedule shall be dated and signed by both the Mayor and the Chief Executive Officer of the business. At that time, the repayment schedule shall be attached to both parties' copies of the agreement.
- (6) Evidence of Permits, etc. Documentation must be provided by the applicant that all necessary permits, licenses, and any other registrations required have been obtained by the applicant prior to the release of program funds.
- (7) Evidence of Program Expenditures. Documentation must be provided by the business to evidence program expenditures prior to the release of funds. Documentation shall include bills and invoices or receipts for materials, final bills of sale or canceled checks. All documentation shall be reviewed and approved by the Administrator.
- (8) Fixed Equipment. Fixed equipment financed with program funds must have been purchased, delivered, and installed. The Administrator shall verify the installation of fixed equipment.
- (9) Other Documentation. As appropriate or necessary, the borrower may be asked to provide the following:
 - (a) A certificate of status from Secretary of State.
 - (b) The Articles of Incorporation and By-Laws.
 - (c) A resolution or agreement to borrow funds.
 - (d) Current financial statements.
 - (e) Evidence of having secured other funds necessary for the project.
 - (f) An Environmental Assessment for real estate loans which may either be a Phase I, II, or III analysis, depending on the environmental condition of the site.

With the above documentation in place, the Administrator will schedule a loan closing. All documents will be executed before funds are disbursed, and mortgages and UCC Statements shall be recorded with the Register of Deeds and the Secretary of State.

- (10) Loan Payments. All loan payments shall be made payable to the City of Sturgeon Bay, 36 South Third Avenue, Sturgeon Bay, Wisconsin 54235.

SECTION 7. POST APPROVAL REQUIREMENTS

7.1 OBLIGATION OF LOAN RECIPIENT

In addition to the terms and conditions of the loan, all borrowers shall agree to comply with the following:

- (1) The creation or retention of the agreed upon number of jobs within 24 months of the date of the execution of the loan agreement with the Community.
- (2) Not to discriminate on the basis of age, race, religion, color, handicap, sex, physical condition, development disability as defined in s. 51.01(5), sexual orientation or national origin in any employment or construction activity related to the use of the business loan funds.
- (3) To use the loan money only to pay the cost of services and materials necessary to complete the project or activity for which the loan funds were awarded.
- (4) To permit inspections by persons authorized by the Community of all projects and properties assisted with loan funds. Related project materials shall also be open to inspections which include, but may not be limited to, contracts, materials, equipment, payrolls, and conditions of employment. Requests for inspection shall be complied with by the borrower.
- (5) To maintain records on the project as may be requested by the Community. These files shall be maintained as long as the loan is active or for at least three (3) years after completion of the work for which the loan has been obtained, whichever is longer.
- (6) To submit periodic progress reports to the Administrator in accordance with the schedule in the loan agreement. These reports shall report on project progress including number of jobs created or retained during the loan agreement.
- (7) To maintain fire and extended coverage insurance on the project property required during the term of the loan. The Community shall be listed as Loss Payee, Mortgagee, or "additional" insured on the policy. Term life insurance may be required of the applicant to cover the loan balance through the life of the loan.
- (8) To abide by all federal laws, when applicable. These include, but may not be limited to: The Civil Rights Act of 1964; the Age Discrimination Act of 1975; the Davis-Bacon Act, as amended; the Contract Work Hours and Safety Standards Act; the Copeland "Anti-Kickback" Act; and, all regulations pursuant to these Acts.
- (9) *To collect the attached self-certification forms from every applicant for each job created by CDBG funds.*

SECTION 8. PERFORMANCE MONITORING

8.1 PRIVATE LEVERAGE COMMITMENTS

The Administrator shall monitor the use of the funds and expenditure of private leverage commitments. Documentation may include invoices or receipts for materials and supplies, letters from lenders, final bills of sale, and canceled checks.

8.2 HIRING OF NEW EMPLOYEES

The Administrator shall monitor the borrower's progress in meeting agreed upon job creation or retention goals. Job creation must be documented using payroll records. Before-project and after-project payroll records should be provided by the borrower to document job creation. Failure of the business to provide the targeted number of LMI level jobs may be a condition for default unless the business can show it made a good faith effort to create the targeted number of LMI jobs but did not succeed due to reasons beyond its control. *In addition, to ensure compliance with the LMI requirements, employers must collect the attached self-certification forms from every applicant for each job created by CDBG funds.*

8.3 DEFAULT

In the event the business is in default on any of the terms and conditions of the loan agreement, all sums due and owing, including penalties, shall, at the Community's option, become immediately due and payable. To exercise this option, the City attorney shall prepare a written notice to the business. The notice shall specify the following:

- (a) The default.
- (b) The action required to cure the default.
- (c) A date, not less than thirty (30) days from the date of the notice, by which the default must be cured to avoid foreclosure or other collective action.
- (d) Any penalties incurred as a result of the default, jobs, etc.

SECTION 9. USE OF LOAN REPAYMENTS AND REPORTING

9.1 RLF PROGRAM

Repaid loans shall be re-deposited into the Revolving Loan Fund account and used in a manner consistent with the policies and procedures manual. A separate accounting record for each loan shall be kept to account for all funds loaned. *The RLF account shall be audited on an annual basis and the Administrator shall provide reports at times and on forms as required by the state of Wisconsin.*

SECTION 10. LOAN SERVICING

10.1 MONITORING

The Administrator shall monitor each loan to ensure compliance with the loan terms and conditions and to monitor the financial health of the business to insure continued repayment of the loan. The monitoring will also ensure that all record keeping requirements are met particularly in regard to job creation and expenditures of matching funds.

A loan servicing file shall be established and maintained for each loan recipient that includes all written correspondence; a record of important telephone conversations; a list of applicable loan covenants; certificates of insurance for builder's risk, property-casualty, and life insurance, as applicable; and documentation for job creation and retention including low and moderate income certifications forms.

10.2 RECORDKEEPING

In addition to the above, the RLF financial management records must be comprehensive and designed to provide the following information:

- (a) A Revolving Loan Fund Register that records all deposits and disbursements to and from the RLF, including funds used for RLF administration.
- (b) A CDBG Loan Repayment Register that records repayments made by each business which has received a loan from the RLF. It also tracks the balance of repayments from all loans from the RLF.
- (c) A Collection Register for every loan made. Each register contains the business name, loan date, loan amount, terms, and date repayment begins. Payments are divided into principal and interest payments with a declining principal balance.
- (d) RLF Loan Repayment Registers that records repayments made by each business which has received a loan from the RLF. It also tracks the balance of repayments from all loans from the RLF.

10.3 REQUESTS FOR MODIFICATIONS TO EXISTING LOANS

The Loan Administrator will review all requests for modifications to existing loans. Upon a favorable review of the businesses financial statements, the Loan Administrator shall have the authority to accept a reduced collateral position as long as there is no decrease in the ratio of collateral to current loan principal amount (based on the ratio on the day of closing).

Other requests for changes to the loan such as, but not limited to: a decrease in the interest rate, extension of the loan term, release of personal guarantees, a decrease in the collateral to loan ratio, etc. will require approval by the City Loan Review Committee.

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL

We, the Sturgeon Bay Revolving Loan Fund Committee, hereby recommend that a loan of \$35,000 be approved for Scaturo's Baking Company to be used for working capital, and that the loan be approved subject to the following conditions:

- A. Interest Rate: 1.0%
- B. Term of Loan: 5 Years with a 5 -Year Amortization Period.
- C. Seasonal payments of principal and interest will be made to the City of Sturgeon Bay. Monthly P & I payments of \$100.00 will be due from December through May, and \$1,100.00 will be due from June through November.
- D. Scaturo's Baking Company will enter into a General Business Security Agreement, subordinate to Baylake Bank.
- E. The loan shall be personally guaranteed by Robert and Joanne Scaturo.
- F. Scaturo's Baking Company shall contribute matching working capital as stated in their application in the amount of \$35,000.
- G. Scaturo's Baking Company will retain 2 FTE (full-time equivalency) jobs within three years of loan closing of which at least 51% shall be made available to persons of low to moderate income.
- H. Scaturo's Baking Company shall provide the City's Loan Administrator with annual business income tax returns and financial statements by April 15th of each year.
- I. Scaturo's Baking Company will pay all out-of-pocket loan-processing costs at closing including attorney fees for loan documentation.
- J. Scaturo's Baking Company shall submit a complete application package, to the satisfaction of William Chaudoir, Executive Director, DCEDC.
- K. The loan recipient's business location must remain in the City of Sturgeon Bay or the loan immediately becomes due and payable.
- L. This commitment is valid for a 60-day period at which time the loan shall be closed or this commitment is null and void.

We further recommend that the City Attorney be authorized to prepare the loan agreement, promissory note, security instrument and other necessary legal documents and that the Mayor and City Clerk be authorized to sign the necessary documents to implement this action.

Respectfully submitted,
Sturgeon Bay Revolving Loan Fund Committee
By: Greg Stephan, Vice-Chairman

RESOLVED, that the foregoing recommendation be adopted.

Dated: _____

Introduced by _____,

Moved by Alderperson _____, seconded by

Alderperson _____ that said recommendation be adopted.

Passed by the Council on the _____.