

Common Council  
February 2, 2010

A regular meeting of the Common Council was called to order at 7:02 p.m. by Mayor Voegelé. The Pledge of Allegiance was recited. Roll call: Wiegand, Vandertie, Lodl, Abeyta, Mann, and Birmingham present. Benzshawel was excused.

Abeyta/Vandertie to adopt agenda removing Items 8d, 8e, 8f, and 8g from the consent agenda. Roll call: All voted aye. Carried.

The Council reviewed the unfinished business.

The following people spoke during public comment: Perry Andropolis – 230 Michigan Street & 826 Pennsylvania Street and Ann Hippensteel – 1015 County U.

Birmingham/Abeyta to approve bills: General Fund – \$3,611,838.16, Capital Fund - \$541.79, Cable TV - \$4,564.38, TID #2 - \$456.00, and TID #3 - \$33,144.93 for grand total of \$3,650,545.26. Roll call: All voted aye. Carried.

Abeyta/Lodl to approve consent agenda:

- a. Approval of 1/19/10 regular Council minutes.
- b. Approval of the following minutes:
  - (1) Zoning Board of Appeals – 1/11/10
  - (2) Finance/Purchasing & Building Committee – 1/12/10
  - (3) Community Protection & Services Committee – 1/14/10
  - (4) Parking & Traffic Committee – 1/20/10
  - (5) City Plan Commission – 1/20/10
- c. Consideration of: Approval of Beverage Operator license.
- d. ~~Finance/Purchasing & Building Committee recommendation re: Refund Randy Vanden Elzen \$1,025.31 for the \$46,000 error on his assessment. Removed from consent.~~
- e. ~~Finance/Purchasing & Building Committee recommendation re: Approval of request to waive invoice #2009036 for Sturgeon Bay Visitor Center in the amount of \$3,632.43. Removed from consent.~~
- f. ~~Finance/Purchasing & Building Committee recommendation re: Allow Miller Engineers and Scientists to prepare the grant application for restoration of Little Lake in an amount not to exceed \$4,500.00. Removed from consent.~~
- g. ~~Community Protection & Services Committee recommendation re: Approval of Chapter 34 of Municipal Code – Regulation and Licensing of Animals as amended by City Attorney. Removed from consent.~~
- h. City Plan Commission recommendation re: Approval of temporary use for Golden Living Center (Dorchester) to use building located at 721 Jefferson Street as a single-family dwelling for additional one year period.

Roll call: All voted aye. Carried.

There were no mayoral appointments.

RECOMMENDATION

We, the Finance/Purchasing & Building Committee, hereby recommend to refund Mr. Randy Vanden Elzen \$1,025.31 for the \$46,000.00 error on his assessment.

FINANCE/PURCHASING & BUILDING COMMITTEE

By: Thad Birmingham, Chr.

Introduced by Birmingham. Birmingham/Abeyta to adopt. It was noted that the refund is for the amount of \$1,025.31. Roll call: All voted aye. Carried.

#### RECOMMENDATION

We, the Finance/Purchasing & Building Committee, hereby recommend to approve the request to waive invoice #2009036 for Sturgeon Bay Visitor Center in the amount of \$3,632.43.

#### FINANCE/PURCHASING & BUILDING COMMITTEE

By: Thad Birmingham, Chr.

Introduced by Birmingham. Birmingham/Mann to adopt. Discussion took place regarding the fee, the fee structure and whether or not the formula for the fees should be revisited. Roll call: All voted aye. Carried.

#### RECOMMENDATION

We, the Finance/Purchasing & Building Committee, hereby recommend to allow Miller Engineers and Scientists to prepare the grant application for restoration of Little Lake in an amount not to exceed \$4,500.00.

#### FINANCE/PURCHASING & BUILDING COMMITTEE

By: Thad Birmingham, Chr.

Introduced by Birmingham. Birmingham/Abeyta to adopt. It was noted that the amount was not to exceed \$4,500.00. Roll call: All voted aye. Carried.

#### RECOMMENDATION

We, the Community Protection & Services Committee, hereby recommend to approve Chapter 34 Regulation and Licensing of Animals of the Municipal Code as amended by City Attorney as attached.

#### COMMUNITY PROTECTION & SERVICES COMMITTEE

By: Stephen C. Mann, Chr.

Introduced by Abeyta. Abeyta/Mann to adopt. Discussion took place regarding the proposed chapter, that pit bulls are not allowed in the proposal but there regulations so do they need to be banned, and that the regulations cover those pit bulls already in the City. The City Attorney noted that there were some administrative changes in the ordinance. Roll call: Wiegand, Lodl, Abeyta, and Mann voted aye. Vandertie voted no. Birmingham abstained. Carried.

Birmingham/Abeyta to adopt resolution supporting application for funds from the Great Lakes Restoration Initiative for Little Lake. Roll call: All voted aye. Carried.

Wiegand/Abeyta to read in title only and adopt the second reading of ordinance rezoning property (known as Wal-Mart Supercenter/Georgenson) from Agricultural (A) and General Commercial (C-1) to Planned Unit Development (PUD) subject to the site plan and requirements. Roll call: All voted aye. Carried.

A list of promotional events for Sturgeon Bay Visitor Center was presented. No formal action was taken.

Abeyta left at 7:55 p.m. and returned at 8:04 p.m.

Birmingham/Vandertie to accept the proposal from PEP Environmental Services, amending the scope of our current contract and adding an estimated \$18,700 to the contract amount. It was noted that PEP Environmental was hired for other aspects and approximately \$3,000 could be saved by amending the contract. Roll call: Wiegand, Vandertie, Lodl, Mann and Birmingham voted aye. Carried.

#### RECOMMENDATION

We, the City Plan Commission, hereby recommend approval of the final PUD for the WireTech Redevelopment, including the attached PUD requirements and conditions, with the understanding that the 30-foot strip of land leading to Delaware Street will not be part of the PUD zoning ordinance.

CITY PLAN COMMISSION

By: Dennis Statz, Chr.

Introduced by Wiegand. Wiegand/Vandertie to adopt. Roll call: Wiegand, Vandertie, Lodl, Mann and Birmingham voted aye. Carried.

RECOMMENDATION

We, the City Plan Commission, hereby recommend approval of the preliminary plat of Sunset Hill #2 for the Wiretech redevelopment, as it is consistent with the City's Comprehensive Plan and the proposed PUD ordinance, and is a necessary component of the redevelopment project, subject to the following requirements:

1. Approval of plat by the State.
2. Adoption of the PUD zoning by the Council.
3. Changing the street name of 6<sup>th</sup> Court to N. 6<sup>th</sup> Pl.
4. Elimination of Outlot 1 from the plat if such land is sold to the adjoining property owner(s).

Introduced by Wiegand. Wiegand/Lodl to adopt. Roll call: Wiegand, Vandertie, Lodl, Mann and Birmingham voted aye. Carried.

RECOMMENDATION

We, the Community Protection & Services Committee, hereby recommend to install a street light at the intersection of Quarterdeck Lane and Circle Ridge Place.

Introduced by Mann. Mann/Abeyta to adopt. Discussion took place regarding the location of nearby lights, whether this should be send back to CPS to discuss further, the kind of light, and overall street lights in the City. Roll call: Vandertie, Lodl, Abeyta, and Birmingham voted aye. Wiegand and Mann voted no. Carried.

The following people spoke during public comment: Jim Neuman.

The Mayor made comments on the 2/2/10 agenda.

Mann/Vandertie to adjourn. Carried. The meeting adjourned at 8:18 p.m.

Respectfully submitted,

Stephanie L. Reinhardt  
City Clerk