

COMMON COUNCIL
March 1, 2011

A regular 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: Lodl, Abeyta, Mann, Benzshawel, and Schlicht present. Wiegand and Vandertie were excused.

Abeyta/Schlicht to adopt agenda removing Item 7f from the consent and placing on the regular agenda. Carried.

The Council reviewed the unfinished business.

Abeyta/Schlicht to approve bills: General Fund – \$4,326,305.06, Capital Fund - \$814.00, Cable TV - \$6,540.36, Tourism Fund - \$72,500.00, TID #2 - \$56,705.85, TID #3 - \$27,462.50 and Solid Waste Enterprise - \$493.11 for grand total of \$4,490,820.88. Roll call: All voted aye. Carried.

Abeyta/Lodl to approve consent agenda:

- a. Approval of the following Council minutes: 9/28/10 closed, 11/16/10 closed, 12/7/10 closed, 12/16/10 special and closed, & 2/15/11 regular.
- b. Approval of the following minutes:
 - (1) Personnel Committee Closed Session Excerpt – 12/2/09
 - (2) Police & Fire Commission Closed Session – 7/6/10
 - (3) Finance/Purchasing & Building Committee Closed Session – 8/31/10
 - (4) Personnel Committee Closed Session – 10/20/10
 - (5) Finance/Purchasing & Building Committee Closed Session – 10/26/10
 - (6) Sturgeon Bay Utility Commission – 1/17/11
 - (7) Finance/Purchasing & Building Committee – 2/8/11
 - (8) Community Protection & Services Committee – 2/15/11
 - (9) Personnel Committee – 2/16/11
 - (10) City Plan Commission – 2/16/11
 - (11) Waterfront Redevelopment Authority – 2/21/11
 - (12) Parking & Traffic Committee – 2/21/11
- c. Accept and place on file the following reports:
 - (1) Fire Department Report – January 2011
 - (2) Community Service Unit Report – January 2011
 - (3) Street Department Report – January 2011
- d. Consideration of: Beverage Operator licenses.
- e. Consideration of: Combination Class B license for Blind Dog, Inc. – 129 Madison Avenue.
- f. Park & Recreation Committee & Board recommendation re: Approval of Sturgeon Bay Bicycle Master Plan.
- g. Finance/Purchasing & Building Committee recommendation re: Approve the sale of Lot #9 in the Industrial Park to David Smith, President of HTF, Inc to expand his business according to development agreement with conditions.
- h. Consideration of: Request from Miller Art Museum to serve wine for special receptions.
- i. Consideration of: Disallowance of Claim Resolution for Carrie Counihan.

Carried.

There were no mayoral appointments.

RECOMMENDATION

We, the Park & Recreation Committee & Board, hereby recommend approval of the Sturgeon Bay Bicycle Master Plan.

PARK & RECREATION COMMITTEE & BOARD
By: Danny Wiegand, Chr.

Lodl/Schlicht to adopt. Paul Anschutz, 221 North 6th Avenue spoke on this item. Discussion took place regarding a timeline to implement the plan, the cost estimates of the plan, look at making Michigan Street a priority for a dedicated bike lane, and that the Plan is a planning tool to be used when roads are constructed/upgraded. Carried with Mann voting no.

City Engineer Depies reviewed the bid results for Egg Harbor Road & 14th Avenue improvements for the Wal-Mart redevelopment. It was noted that Wal-Mart has supplied a letter of credit to cover these improvements. Schlicht/Mann to accept the bids and award a contract to Peters Concrete Company in the amount of \$726,373.50, subject to the conditions set in the City's development agreement with Wal-Mart. Carried.

A resolution regarding the adoption of fees for contractor use of the compost site was read by Lodl. Lodl/Schlicht to adopt. Carried.

RECOMMENDATION

We, the Community Protection & Services Committee, hereby recommend to accept a one year trial period for contractors to utilize the City of Sturgeon Bay compost site on Division Road, follow the outlined recommendations set by staff as follows, and forward to Finance/Purchasing & Building Committee to approve contractor permit fees, contractor illegal dumping fee and establish an illegal dumping fee for any non-resident or non-permit holder:

- 1) Contractor permit fee shall be \$1,000.00 paid before use of site and is good for one year (January 1 – December 31.)
- 2) Contractor shall dump only yard waste and brush collected from City of Sturgeon Bay, Town of Sturgeon Bay, and Town of Sevastopol.
- 3) Contractor using the site without permit shall be required to pay the permit fee and will be charged a \$500.00 illegal dumping fee.
- 4) Contractors dumping materials collected from municipalities other than City of Sturgeon Bay, Town of Sevastopol, and Town of Sturgeon Bay will have their permit revoked and will be charged a \$500.00 illegal dumping fee.
- 5) Any non-resident or non-permit holder will be charged a \$500.00 illegal dumping fee.
- 6) Contractors are able to purchase wood chips and compost at a cost of \$5.00 per cubic year. (Date and equipment used for loading must be approved by Department of Public Works.)
- 7) All other policies that are currently in effect will remain in effect.

COMMUNITY PROTECTION & SERVICES COMMITTEE

By: John Lodl, Chr.

Introduced by Lodl. Lodl/Mann to adopt. Carried.

RECOMMENDATION

We, the Parking & Traffic Committee, hereby recommend to charge the Wellness Center of Door County \$2,000 in lieu of providing six (6) additional parking spaces.

PARKING & TRAFFIC COMMITTEE

By: Stephen C. Mann, Chr.

Introduced by Mann. Mann/Benzshawel to adopt. Carried.

RECOMMENDATION

We, the Waterfront Redevelopment Authority, hereby recommend to modify paragraph 12.b. of the Development Contract for Restaurant for Sturgeon Bay Waterfront Redevelopment and accept the Pollman alternative at the assessed value as a base and to remove paragraph 2.d.(iv) in the Development Contract, effective upon assignment.

Introduced by Benzshawel. Benzshawel/Mann to adopt. Community Development Director Olejniczak summarized the changes in the proposed revised Development Agreement. Carried.

No one spoke during public comment.

The Mayor did not have any comments.

Schlicht/Mann to adjourn. Carried. The meeting adjourned at 7:50 p.m.

Sincerely,

Stephanie L. Reinhardt
City Clerk