

COMMON COUNCIL
April 19, 2011

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, Vandertie, Lodl, Abeyta, Mann, and Schlicht were present.

The Council reviewed the unfinished business list.

Retiring Police Lieutenant-Investigator Thomas J. Baudhuin was recognized for his 30 years of service.

Aldersperson Stephen C. Mann and Aldersperson Thomas R. Benzshawel were recognized for their years of service on the Council.

Newly elected Aldersperson for District 5, Joe Stutting, was seated.

Roll call: Wiegand, Vandertie, Lodl, Abeyta, Stutting and Schlicht were present.

Abeyta/Schlicht to adopt agenda. Carried.

Wiegand/Schlicht to approve bills: General Fund – \$709,521.32, Capital Fund - \$2,106.19, Cable TV - \$4,184.24, TID #2 - \$7,602.82, and Solid Waste Enterprise - \$12,432.25 for grand total of \$737,346.82. Roll call: All voted aye. Carried.

Abeyta/Vandertie to approve the consent agenda:

- a. Approval of 4/5/11 regular Common Council minutes.
- b. Approval of the following minutes:
 - (1) Finance/Purchasing & Building Committee – 3/29/11
 - (2) Board of Canvassers – 4/7/11
- c. Place following reports on file:
 - (1) Inspection Department Report – March 2011
 - (2) Fire Department Report – March 2011
- d. Consideration of: Beverage Operator licenses.
- e. Consideration of: Class B Beer licenses.
- f. Consideration of: Temporary Class B Beer license.
- g. Resolution re: Designating official newspaper.
- h. Resolution re: Designation public depositories.
- i. Finance/Purchasing & Building Committee recommendation re: Reduce the interest rate from eleven percent to five percent on the deferred curb and gutter special assessment along Ridgeway Drive in the amount of \$1,408.60, parcel #: 281-64-8400-0103, owned by Kazimiera Drabowicz.
- j. Board of Public Works recommendation re: Special assessment for curb and gutter installation for Spruce Street.

Carried.

Persons interested in serving in the vacant seat in District 6 were asked to address the Council. The following persons spoke: Mark R. Moeller, Stewart Fett, and Lee Peterson. Jeff Farley also sent a letter of interest. Vandertie/Abeyta to nominate Mark Moeller, Stewart Fett, and Lee Peterson and to vote by paper ballot. Schlicht/Lodl to amend the motion to add Jeff Farley to the list of people nominated. Carried. Vote taken on original motion as amended. Carried. City Attorney Nesbitt noted that four votes would be necessary to fill the seat and that the Council members must sign their paper ballot. After ballots were cast: 5 votes for Stewart Fett and 1 vote for Mark Moeller.

The Mayor did not have any appointments at this meeting.

Wiegand/Abeyta to nominate Ronald Vandertie as Council President. With no other nominations cast, Mayor declared nominations closed. Carried with Vandertie abstaining.

Abeyta/Schlicht to award bid for 2011 one ton dump truck to Witt Peninsula Ford with an Olson dump package with a cost of \$28,832.00 and sell the 1996 Ford F-350 to The Farm, Inc. for \$6,635.00 for a total cost to the City of \$22,197.00. Carried with Wiegand abstaining.

Lodl/Schlicht to read in title only and adopt the second reading of the ordinance re: Creation of Section 10.21 of the Municipal Code – Prohibit Synthetic Cannabinoid (Marijuana.) Carried.

RECOMMENDATION

We, the Finance/Purchasing & Building Committee, hereby recommend to award the bid for spraying aquatic vegetation in Bay of Sturgeon Bay to Bonestroo, Option B, in the amount of \$13,218.22.

FINANCE/PURCHASING & BUILDING COMMITTEE

By: Danny Wiegand, Vice-Chr.

Introduced by Wiegand. Wiegand/Schlicht to adopt. Carried.

RECOMMENDATION

We, the Finance/Purchasing & Building Committee, hereby recommend to award the bid to Packer City International Truck Inc. in the amount of \$164,000.00 for the 2011 Tandem Axle Truck and sell the 1993 Tandem Axle Truck to L & S Ford in the amount of \$10,000.00.

FINANCE/PURCHASING & BUILDING COMMITTEE

By: Danny Wiegand, Vice-Chr.

Introduced by Wiegand. Wiegand/Schlicht to adopt. Carried.

RECOMMENDATION

We, the Finance/Purchasing & Building Committee, hereby recommend to approve the Intermunicipal Agreement, along with the County of Door, for County Trunk Highway C (Duluth Avenue) design project.

FINANCE/PURCHASING & BUILDING COMMITTEE

By: Danny Wiegand, Vice-Chr.

Introduced by Wiegand. Wiegand/Schlicht to adopt. Abeyta/Lodl to amend the motion to change paragraph three of the agreement to include language that the agreement is contingent upon the City Common Councils' appropriation of funds sufficient to carry out the City's obligation. Vote taken on the amendment. Carried. Vote taken on the motion as amended. Carried.

RECOMMENDATION

We, the Finance/Purchasing & Building Committee, hereby recommend the Common Council review of the Budget Services Ad Hoc Committee Final Report.

FINANCE/PURCHASING & BUILDING COMMITTEE

By: Danny Wiegand, Vice-Chr.

Introduced by Wiegand. Wiegand/Schlicht to adopt. Carried.

No one spoke during public comment.

The Mayor made his comments.

After the Mayor announced the statutory basis, Abeyta/Lodl to convene in closed session in accordance with the following exemptions: a. Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in

which it is or is likely to become involved in. Wis. Stats. 19.85(1)(g) i. Consideration of: Shipyard Partners. ii. Ironwood Street outfall. b. 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. Wis.Stats. 19.85(1)(e) - Consideration of: Sale of City property. Roll call: All voted aye. Carried. The meeting moved to closed session at 7:44 p.m. and adjourned at 8:57 p.m.

Respectfully submitted,

Stephanie L. Reinhardt
City Clerk