

COMMON COUNCIL

April 20, 2010

A regular meeting of the Common Council was called to order at 7:03 p.m. by Mayor Voegelé. The Pledge of Allegiance was recited. Roll call: Wiegand, Vandertie, Lodl, Abeyta, Mann, Benzshawel, and Birmingham present.

The Council reviewed the unfinished business list. The Mayor reflected on the past three years.

Tom Voegelé was recognized for service on the Common Council.

ORGANIZATIONAL MEETING

The newly elected Mayor was seated and Mayor Thad Birmingham opened the organizational meeting.

Roll call: Wiegand, Vandertie, Lodl, Abeyta, Mann, and Benzshawel were present.

Benzshawel/Wiegand to adopt agenda. Carried.

Abeyta/Lodl to approve following bills: General Fund – \$172,833.09, Capital Fund - \$43,251.34, Cable TV - \$1,323.87, Tourism Fund - \$74,000.00, TID #3 - \$175.00 and Solid Waste Enterprise - \$13,447.82 for grand total of \$305,031.62. Roll call: All voted aye. Carried.

Abeyta/Mann to approve consent agenda:

- a. Approval of 4/6/10 regular Common Council minutes.
- b. Approval of the following minutes:
 - (1) Police & Fire Commission – 3/29/10
 - (2) Finance/Purchasing & Building Committee – 3/30/10
 - (3) Board of Public Works – 4/6/10
 - (4) Personnel Committee – 4/7/10
 - (5) Community Protection & Services Committee – 4/8/10
 - (6) Fire & Police Commission – 4/12/10
- c. Place following report on file:
 - (1) Street Department Report – March 2010
- d. Consideration of: Beverage Operator licenses.
- e. Consideration of: Class B Beer licenses.
- f. Consideration of: Class B Beer licenses and Class C Wine license for The Company Store, LLC.
- g. Resolution re: Designating official newspaper.
- h. Resolution re: Designating Public Depositories.
- i. Community Protection & Services Committee recommendation re: Renew the agreement between City of Sturgeon Bay and Town of Sturgeon Bay for use of City's compost site located on Division Road.

Carried.

A discussion took place on how to fill the vacancy of the aldermanic seat for District 7. Discussion took place that people should be given notice through such avenues as the City website and cable TV and that the item should be postponed to the next meeting. Bill Murrock submitted a letter to the Council expressing interest in the vacant seat. Vandertie/Wiegand to nominate Bill Murrock to fill the vacancy of Alderperson for District 7. After further discussion, Vandertie withdrew motion and Wiegand withdrew the second. Further discussion took place regarding informing the public of the vacancy. Abeyta/Benzshawel to post vacancy for District 7 on City website, create a press release, and post on Cable TV with this item being brought back to the May 4 Council meeting. Wiegand/Abeyta to amend the motion to add "and that a biography of the interested parties be submitted." Vote taken on the amendment. Carried with Lodl voting no. Vote taken on the original motion as amended. Carried.

Abeyta/Mann to confirm the following appointments:

BOARD OF PUBLIC WORKS

Mayor	Thad Birmingham
Ald. Dist 1	Danny B. Wiegand
Ald. Dist 2	Ronald A. Vandertie
Ald. Dist 3	John L. Lodl

Ald. Dist 4 James E. Abeyta, Jr.
Ald. Dist 5 Stephen C. Mann
Ald. Dist 6 Thomas R. Benzshawel
Ald. Dist 7 vacant

FINANCE/PURCHASING & BUILDING COMMITTEE

Ald. Abeyta, Chr.
Ald. Wiegand, Vice-Chair
Ald. District 7

PERSONNEL COMMITTEE

Ald. Benzshawel, Chr.
Ald. Vandertie, Vice-Chr.
Ald. Abeyta

PARKS & RECREATION COMMITTEE

Ald. Wiegand, Chr.
Ald. Vandertie, Vice-Chr.
Ald. District 7

PARKING & TRAFFIC COMMITTEE

Ald. Mann, Chr.
Ald. Vandertie, Vice-Chr.
Ald. Benzshawel

COMMUNITY PROTECTION & SERVICES COMMITTEE

Ald. Lodi, Chr.
Ald. Mann, Vice-Chr.
Ald. District 7

UTILITY COMMISSION

Mayor Birmingham

LIBRARY BOARD – 1 year term

Council Rep – Ald. Lodi
Council Rep – Ald. District 7

LOAN REVIEW COMMITTEE/REVOLVING LOAN COMMITTEE

Mayor – Thad Birmingham
Council Rep – Ald. Abeyta

CITY PLAN COMMISSION – 3 year term

Chair – Mayor Birmingham
Council Rep – Ald. Lodi

Carried.

Benzshawel/Abeyta to nominate Ald. Vandertie as Council President. Carried.

The presentation to the Common Council and Fire Chief for first responder program support was postponed until the May 4, 2010 Council meeting.

Fire Chief Herlache presented the 2009 Annual Fire Department Report. No formal action was taken.

Peter Kerwin from Sturgeon Bay Visitor Center gave an update on SBVC. No formal action was taken.

No one spoke during public comment.

Mayor Birmingham made comments on the 4/20/10 agenda.

After the Mayor announced the statutory basis, Abeyta/Lodi to 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. Wis. Stats.

19.85(1)(e) Consideration of: Wal-Mart Development Agreement. Roll call: All voted aye. Carried. The meeting moved to closed session at 8:24 p.m. Abeyta/Benzshawel to reconvene in open session at 9:02 p.m.

Abeyta/Benzshawel to approve the Development Agreement between the City of Sturgeon Bay and Wal-Mart Real Estate Business Trust subject to Wal-Mart substituting additional funds to sidewalk fund as opposed to constructing sidewalk between 14th Avenue and proposed Wal-Mart sidewalk. Carried.

Mann/Benzshawel to adjourn. Carried. The meeting adjourned at 9:07 p.m.

Respectfully submitted,

Stephanie L. Reinhardt
City Clerk