

COMMON COUNCIL
June 7, 2011

A meeting of the Common Council was called to order at 8:00 p.m. by Mayor Birmingham. The Pledge of Allegiance was recited. Roll call: Ald. Wiegand, Vandertie, Lodl, Abeyta, Stutting, Fett and Schlicht were present.

Lodl/Abeyta to adopt agenda moving Item #60 to the regular agenda. Carried. Ald. Lodl requested that an Ad Hoc Committee be formed for review of combining the Door County Sheriff's Department and the Sturgeon Bay Police Department.

Abeyta/Schlicht to approve bills: General Fund – \$174,100.24, Capital Fund - \$332,055.27, Cable TV - \$5,147.64, TID #2 - \$120.00, and Solid Waste Enterprise - \$12,969.99 for grand total of \$524,393.14. Roll call: All voted aye. Carried.

Abeyta/Fett to approve the consent agenda:

- a. Approval of 5/17/11 regular and 5/16/11 special Common Council minutes.
- b. Approval of the following minutes:
 - (1) Sturgeon Bay Utility Commission – 4/11/11
 - (2) Zoning Board of Appeals – 5/9/11
 - (3) Finance/Purchasing & Building Committee – 5/10/11
 - (4) Personnel Committee – 5/11/11
 - (5) Community Protection & Services Committee – 5/12/11
 - (6) Parking & Traffic Committee – 5/16/11
 - (7) Historic Preservation Commission – 5/18/11
 - (8) City Plan Commission – 5/18/11
 - (9) Board of Review – 5/20/11
 - (10) Zoning Board of Appeals – 5/23/11
 - (11) Park & Recreation Committee/Board – 5/24/11
 - (12) Personnel Committee – 5/25/11
 - (13) Cable Communication System Advisory Council – 5/26/11
- c. Accept and place of file the following reports:
 - (1) Bank Statement – December 2010
 - (2) Financial Report – December 2010
 - (3) Bank Statement – April 2011
 - (4) Financial Report – April 2011
 - (5) Fire Department Report – April 2011
- d. Consideration of: Beverage Operator licenses.
- e. Consideration of: Combination "Class B" licenses, "Class B" Liquor license (wine only), Class "B" Beer licenses, "Class A" Combination licenses, Class "A" Beer licenses, Class "A" Liquor license, "Class C" Wine licenses.
- f. Consideration of: Class B Beer Licenses for Howie's Tackle, LLC.
- g. Consideration of: Class B Beer license and Class C Wine license for John Martin Restaurant and Mel's Place, LLC.
- h. Consideration of: Temporary Class B Beer Licenses for SBVC, Amvets Weber-Tess Post 51, and Door County Maritime Museum.
- i. Consideration of: Temporary Class B Beer and Class B Wine license for SBVC and St. Joseph Catholic Church.
- j. Disallowance of Claim resolution re: Carrie Counihan.
- k. Finance/Purchasing & Building Committee recommendation re: Grant easement to ATC to access new substation located between Canal and Dunn Road. ATC will pay the City a total of \$16,150.00.
- l. Finance/Purchasing & Building Committee recommendation re: Allow 810 S. Lansing Avenue to sell Lot/Tract 1-A to Christiaan Jeanquart and transfer the development agreement to Mr. Jeanquart with changes.
- m. Community Protection & Services Committee recommendation re: Extend personal services

contract with Mann Communication, LLC for operation of PEG Channels until December 31, 2011 with modifications.

- n. Park & Recreation Committee & Board recommendation re: Approval of request from Badger Bouncer to set up four bounce houses at Sawyer Park on June 18, 2011 and charge a per user fee.
- o. ~~Park & Recreation Committee & Board recommendation re: Approval of Westside Field location for Skateboard Park and have Municipal Services Supt. work with Sturgeon Bay Skateboard Initiative Group to develop a Westside location.~~ Moved to regular agenda – Item 7a.

Carried.

Schlicht/Vandertie to accept the following appointments:

HISTORIC PRESERVATION COMMISSION:

Reappointment of J. Eric Paulsen for 3 year term

Reappointment of Shelly Kerwin for 3 year term.

Carried.

RECOMMENDATION

We, the Park & Recreation Committee and Board, hereby recommend approval of the Westside Field location for a Skateboard Park and have the Municipal Services Superintendent work with the Sturgeon Bay Skateboard Initiative Group to develop the Westside location.

PARK & RECREATION COMMITTEE & BOARD

By: Danny Wiegand, Chr.

Introduced by Wiegand. Wiegand/Vandertie to adopt. Discussion took place regarding the location and dimensions, the ability to expand, lighting, that there were not any liability issues for the City, and commending the group on their consistent efforts. Carried.

The Mayor gave the names of the three people who expressed interest for the citizen member to the Utility Commission .They were: Richard Jennings, Steve Mann, and David Phillips. Fett/Lodl to nominate Dave Phillips and close nominations. Motion failed. Schlicht/Abeyta to nominate Richard Jennings, Steve Mann, and David Phillips. Ald. Vandertie requested paper ballots. Jennings, Mann, and Phillips addressed the Council. After the ballots were cast there were five votes for Phillips and two votes for Mann. Dave Phillips is the new citizen member of the Sturgeon Bay Utility Commission.

A request from Sturgeon Bay Yacht Club for contribution for fireworks to Evening on the Bay was presented. It was noted that this was not a budgeted item but that the City had donated \$500 in 2009 and 2010. Abeyta/Schlicht to donate \$500.00 to the Sturgeon Bay Yacht Club for the Evening on the Bay event. Roll call: All voted aye. Carried.

Community Development Director Marty Olejniczak summarized the Street Vacation – N. Ithaca Avenue request from Richard Skare. Abeyta/Stutting to narrow the right-of-way to 20 feet for the entire length of Ithaca Avenue north of Juniper Street and proceed with officially vacating 20 feet of right-of-way on each side. Carried.

Community Development Director Marty Olejniczak summarized the future street development for Will Roder parcels. Schlicht/Vandertie to approve the Statements of Understanding for developing the Roder parcel. Carried.

City Attorney Nesbitt summarized the redistricting process that takes place every 10 years. Nesbitt reviewed the statutes that relate to redistricting, the criteria that come into place when creating different ward lines, the timeline for adopting ward boundaries, and the impact of creating lines that differ from the County Supervisory boundaries. Lodl/Schlicht to instruct City's Engineering Department to redraw the ward lines and bring back to the June 21 meeting for a presentation. At the June 21, 2011 meeting, adopt a new Ward/Aldermanic District map. Discussion took place regarding different ways to draw new ward

boundary lines, the long term costs of changing the ward boundaries, and the impact of voters. Roll call: Vandertie, Lodi and Schlicht voted aye. Wiegand, Abeyta, Stutting, and Fett voted no. Motion failed. Fett/Stutting to adopt the ward lines as proposed by the County Board. Roll call: Wiegand, Abeyta, Stutting and Fett voted aye. Vandertie, Lodi, and Schlicht voted no. Carried.

Brian Reuchel from Baird made a presentation to the Council regarding distressed TID legislation and its applicability to TID #2. It was noted that the deadline to complete the process is September 30, 2011 and there are a number of procedural steps and amendments that are required to designate a TID as distressed. Discussion took place regarding the different TID's in the City, the fee to Baird regarding designating TID #2 as distressed, and the associated legislation. Vandertie/Wiegand that the City work with Baird to proceed with the distressed TID designation for TID #2. Carried with Stutting abstaining.

RECOMMENDATION

We, the Community Protection & Services Committee, hereby recommend to grant Ben Felhofer and Austin DeMeuse permission to operate their hot dog cart on City-owned property, subject to the approval of Bob Bordeau, Municipal Services Superintendent.

COMMUNITY PROTECTION & SERVICES COMMITTEE

By: John Lodi, Chr.

Introduced by Lodi. Lodi/Stutting to adopt. Discussion took place regarding past action by the Council regarding similar requests. Municipal Services Supt. Bordeau talked about the necessary time it would take to address this request. Vandertie/Fett to amend the motion and refer this item to Park & Recreation Committee/Board for study and recommendation. Roll call vote taken on the amendment: Vandertie & Fett voted aye. Wiegand, Lodi, Abeyta, Stutting and Schlicht voted no. Motion failed. Roll call vote taken on the original motion: Stutting voted aye. Wiegand, Vandertie, Lodi, Abeyta, Fett, and Schlicht voted no. Carried.

RECOMMENDATION

We, the Personnel Committee, hereby recommend to fill the Police Lieutenant/Investigator position, subsequent vacant Police Patrol Sergeant position, and subsequent vacant Police Patrol Officer position; and to maintain the sworn officer staffing level at 20.

PERSONNEL COMMITTEE

By: Ronald A. Vandertie, Chr.

Introduced by Vandertie. Vandertie/Abeyta to adopt. Discussion took place regarding the wording "maintain sworn officer staffing level at 20" and whether it was necessary to be part of the motion, the budget for the police department, overtime costs, and current staffing levels at the police department. Roll call: Wiegand, Vandertie, Abeyta, Stutting, Fett and Schlicht voted aye. Lodi voted no. Carried.

RECOMMENDATION

We, the Personnel Committee, hereby recommend to establish the annual salary for the Police Lieutenant Investigator position at \$62,791.55 with standard benefits in accordance with the Administrative Employee Handbook, and that a six month performance evaluation be done.

PERSONNEL COMMITTEE

By: Ronald A. Vandertie, Chr.

Introduced by Vandertie. Vandertie/Stutting to adopt. Discussion took place regarding the starting salary and whether there should be a step salary. Schlicht/Lodi to amend the motion to change the initial salary to \$61,281.15. Roll call: Lodi and Schlicht voted aye. Vandertie, Abeyta, Stutting, and Fett voted no. Wiegand abstained. Motion failed. Roll call voted on the original motion: Vandertie, Abeyta, Stutting, Fett and Schlicht voted aye. Lodi voted no. Wiegand abstained. Carried.

No one spoke during public comment.

The Mayor made his comments.

Fett/Schlicht to adjourn. Carried. The meeting adjourned at 10:35 p.m.

Respectfully submitted,

Stephanie L. Reinhardt
City Clerk