

COMMON COUNCIL  
July 20, 2010

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

Mann/Lodl to adopt agenda. Carried.

The Council reviewed the unfinished business list.

Wiegand/Schlicht to approve following bills: General Fund - \$192,760.05, Capital Fund - \$30,362.09, Cable TV - \$2,490.92, TID #2 - \$4,898.00, TID #3 - \$106,443.48, and Solid Waste Enterprise Fund - \$18,374.09 for a grand total of \$355,328.63. Roll call: All voted aye. Carried.

Wiegand/Mann to approve consent agenda:

- a. Approval of 7/6/10 regular Common Council minutes.
- b. Approval of the following minutes:
  - (1) Finance/Purchasing & Building Committee Closed Session – 9/13/05
  - (2) Sturgeon Bay Utilities – 6/7/10
  - (3) Finance/Purchasing & Building Committee – 6/29/10
  - (4) Waterfront Design Review Board – 7/6/10
  - (5) Board of Public Works – 7/6/10
  - (6) Community Protection & Services Committee – 7/8/10
- c. Place following reports on file:
  - (1) Fire Department Report – June 2010
  - (2) Bank Reconciliation – June 2010
  - (3) Revenue & Expense Report – June 2010
- d. Consideration of: Approval of Beverage Operator licenses.
- e. Consideration of: Approval of Temporary Class B Beer licenses.
- f. Consideration of: Request from Red Oak Vineyard, Inc. to amend premise section of liquor license.
- g. Finance/Purchasing & Building Committee recommendation re: Waive refuse fees on vacant apartment located at 2144 Vermont Place for 5 years as long as apartment remains vacant.

Carried.

Mann/Benzshawel to confirm the Mayor's appointment of Matthew Felhofer to Harbor Commission. Carried.

Wiegand/Lodl to read in title only and adopt ordinance re: Rezone property located at 43 S. 2<sup>nd</sup> Ave. from Heavy Industrial (I-2) to Central Business District (C-2). Carried.

Mann/Wiegand to grant request from Door County Fair for exception to noise ordinance from July 26 – August 11, 2010. Carried.

Carrie Counihan, Door County Humane Society, addressed the Council about an upcoming community event in Sunset Park on August 14. The request is to allow dogs in Sunset Park for the event. Mann/Lodl to approve request from Door County Humane Society to waive restriction of dogs in Sunset Park on August 14, 2010 for a community event from 9 am – 10 pm and to provide a certificate of liability insurance to City. Wiegand/Benzshawel to amend motion to "4pm" instead of 9 am. Vote taken on amendment. Carried. Vote taken on original motion as amended. Carried.

Community Development Director Olejniczak presented a request from Jon & Mary Vecchie to construct an at grade stone patio on their property located at 920 Memorial Drive. Discussion took place regarding the maintenance and other properties in the area that have made similar improvement requests. Vandertie/Benzshawel to approve the at grade patio as proposed subject to all future maintenance and removal, if necessary, by the property owner. Carried.

Officer Kourtney Krah presented the June 2010 Community Service Unit Program Report and Update. CSO's Michelle Wiegand, Molly Thornton, and Cody Lauder told the Council of their experiences as CSO's.

City Administrator McNeil and Finance Director/City Treasurer Clarizio presented the 2009 Audit and financial information to the Council. The presentation included five years of comparative data. No formal action was taken on the presentation.

#### RECOMMENDATION

We, the Finance/Purchasing & Building Committee, hereby recommend to deny the request from Thunderhill Estates to waive refuse fees for vacant lots.

#### FINANCE/PURCHASING & BUILDING COMMITTEE

By: James Abeyta, Chr.

Introduced by Wiegand. Wiegand/Mann to adopt. Discussion took place regarding other mobile home parks in Sturgeon Bay, what vacant means and the history of how these lots were found not to be paying the fee. Mann/Wiegand to call for the question. Roll call: Wiegand, Lodl, Mann, and Schlicht voted aye. Vandertie and Benzshawel voted no. Carried. Motion taken on the motion. Roll call: Wiegand and Mann voted aye. Vandertie, Lodl, Benzshawel and Schlicht voted no. Motion failed. Schlicht/Lodl to approve request from Thunderhill Estates to waive refuse fees for vacant lots (meaning lots without trailers on them.) Carried.

No one spoke during public comment.

The Mayor did not have any comments.

After the Mayor announced the statutory basis, Benzshawel/Schlicht to convene in closed session in accordance with the following exemption: Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Wis. Stats. 19.85(1)(c) Consideration of: Administrative employee performance/promotion/compensation. Roll call: All voted aye. The meeting moved to closed session at 9:45 p.m.

Wiegand/Benzshawel to reconvened in open session. Carried. The meeting reconvened in open session at 10:27 p.m.

Benzshawel/Wiegand to approve the revisions to the organizational chart. Schlicht/Mann to amend the organizational chart so that all contracted services appear under one line, supervised by the Community Development Director. Roll call on the amendment: Wiegand, Vandertie, Mann and Schlicht voted aye. Lodl and Benzshawel voted no. Amendment carried. Mann/Wiegand to amend the motion to include an effective date of 8/1/10. Roll call: All voted aye. Carried. Roll call vote taken on the original motion as amended: All voted aye. Carried.

Benzshawel/Mann to approve the change to the Community Development Director's position description and salary in the amount of \$75,673. Roll call: All voted aye. Carried.

## RECOMMENDATION

We, the Personnel Committee, hereby recommend to change Administrative Services Director Mary Lou Allen's position title and position description to Assistant City Administrator.

PERSONNEL COMMITTEE

By: Thomas D. Benzshawel, Chr.

Introduced by Benzshawel. Benzshawel/Mann to adopt. Roll call: All voted aye. Carried.

Mann/Vandertie to adjourn. Carried. The meeting adjourned at 10:38 p.m.

Respectfully submitted,

Stephanie L. Reinhardt  
City Clerk