



**CITY OF STURGEON BAY COMMON COUNCIL AGENDA  
TUESDAY, SEPTEMBER 3, 2013  
7:00 P.M.  
COUNCIL CHAMBERS, CITY HALL – 421 MICHIGAN ST  
THAD G. BIRMINGHAM, MAYOR**

1. Call to order.
2. Pledge of Allegiance.
3. Roll call.
4. Adoption of agenda.
5. Consideration of the following bills: General Fund – \$50,473.81, Capital Fund - \$55,681.73, Cable TV - \$4,390.00, TID #2 - \$266.90, TID #3 - \$27,683.50, and TID #4 - \$963.85 for a grand total of \$139,459.79. [roll call]
6. CONSENT AGENDA
  - \* All items listed with an asterisk (\*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests before the Adoption of the Agenda, in which event the item will be removed from the Consent Agenda and considered immediately following the consent agenda.
  - \* a. Approval of 8/20/13 regular Common Council minutes.
  - \* b. Approval of the following minutes:
    - (1) Community Protection & Services Committee – 8/8/13
    - (2) Aesthetic Design & Site Plan Review Committee – 8/19/13
    - (3) Parking & Traffic Committee – 8/15/13
    - (4) Waterfront Redevelopment Authority – 8/19/13
    - (5) Harbor Commission – 8/19/13
    - (6) Finance/Purchasing & Building Committee – 8/20/13
    - (7) Fire & Police Commission – 8/20/13
    - (8) City Plan Commission – 8/21/13
  - \* c. Consideration of: Approval of Beverage Operator licenses.
  - \* d. City Plan Commission recommendation re: Repeal and recreate Section 20.29(2) and create Section 20.29(8) of the Municipal Code (Zoning Code) regarding minimum street yard for accessory buildings on waterfront lots.
7. Mayoral appointments.
8. First reading of ordinance re: Repeal and recreate Section 20.29(2) and create Section 20.29(8) of the Municipal Code – Zoning Code.
9. Consideration of: TIF 4 Razing Contracts for Co-op Property.

10. **Committee Chairperson Reports:**
  - a. **City Plan Commission**
  - b. **Finance/Purchasing & Building Committee**
  - c. **Park & Recreation Committee**
11. **Public comment on non-agenda items.**
12. **Mayor's comments.**
13. **Adjourn.**

**NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.**

Posted:

Date: 8/30/13

Time: 12:00pm

By: JM

CITY OF STURGEON BAY  
DEPARTMENT SUMMARY REPORT

5.

5.

INVOICES DUE ON/BEFORE 09/03/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
GENERAL FUND				
LIABILITIES				
04991	JANET EICHER	EICHER OTMBA PK SEC DEP REF	01-000-000-23162	50.00
07901	DC HABITAT FOR HUMANITY	HABITAT OTMBA PK SEC REF	01-000-000-23162	50.00
19880	STURGEON BAY UTILITIES	TAX ROLL COLLECTION 2012/2013	01-000-000-24340	15,410.45
IDLEWILD	IDLEWILD HERBS	IDLEWILD FOOD SHARE REDEMPT	01-000-000-21595	22.00
MCCAULLE	SARAH MCCAULLEY	MCCAULLEY SUNSET PK REF	01-000-000-23162	50.00
R0000222	STURGEON BAY LIONS	LIONS OTMBA PK SEC REF	01-000-000-23162	50.00
R0000519	DAN SCHOTT	SCHOTT SIGN DEPOSIT REF	01-000-000-23168	150.00
R0000819	MARY WANKE	WANKE OTMBA PK SEC REF	01-000-000-23162	50.00
R0000984	CHARLES BORDEAU	C BORDEAU FOOD SHARE REDEMPT	01-000-000-21595	68.00
R0000985	SULLYS THUMBS UP PRODUCE	SULLY 8/17 MARKET FOOD SHARE	01-000-000-21595	89.00
R0000991	SPERBER FARMS	8/17 MARKET FOOD SHARE REDEMPT	01-000-000-21595	61.00
R0001101	DC CUSTOM MEATS	8/17 MARKET FOOD SHARE REDEMPT	01-000-000-21595	28.00
R0001102	RANDALL MANGES	MANGES FOOD SHARE REDEMPT	01-000-000-21595	27.00
R0001103	MARK KRUEGER	KRUEGER SUNST PK SEC REF	01-000-000-23162	50.00
R0001104	NARCOTICS ANONYMOUS	NARC ANON SUNST PK REF	01-000-000-23162	50.00
R0001106	R S SAMUELSON	SAMUELSON CH BLSSM PK SEC REF	01-000-000-23162	50.00
TOTAL LIABILITIES				16,255.45
CAPITAL PROJECTS				
01761	ASSOCIATED TRUST COMPANY	PAYING AGENT FEES	01-000-913-70002	96.10
TOTAL CAPITAL PROJECTS				96.10
TOTAL GENERAL FUND				16,351.55
MAYOR				
04696	DOOR COUNTY TREASURER	JULY INTERNET USAGE MAYOR	01-100-000-56700	2.70
TOTAL				2.70
TOTAL MAYOR				2.70
CITY COUNCIL				
22800	WALMART COMMUNITY	3 81/2 X 11 DOC FRAMES	01-105-000-54999	11.88
TOTAL				11.88
TOTAL CITY COUNCIL				11.88
LAW/LEGAL				
16555	PINKERT LAW FIRM, LLP	7/2013 GF LEGAL	01-110-000-55010	1,518.00
16555		TID 1 LEGAL 1304.0012	01-110-000-55010	169.00
TOTAL				1,687.00
TOTAL LAW/LEGAL				1,687.00

CITY CLERK-TREASURER

DATE: 08/27/2013  
TIME: 16:12:16  
ID: AP443000.CST

CITY OF STURGEON BAY  
DEPARTMENT SUMMARY REPORT

PAGE: 2

INVOICES DUE ON/BEFORE 09/03/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
03940	STEPHANIE REINHARDT	8/22-8/23 MILEAGE WMCA CONF	01-115-000-55600	178.54
04696	DOOR COUNTY TREASURER	JULY INTERNET USAGE CLERKS	01-115-000-56700	10.90
17700	QUILL CORPORATION	TONER/ADD TAPE/FOLDERS	01-115-000-51950	139.26
FIRST	FIRST NATIONAL BANK OF OMAHA	UWGB MASTER ACAD REG CLARIZIO	01-115-000-55600	119.00
TOTAL				447.70
TOTAL CITY CLERK-TREASURER				447.70
ADMINISTRATION				
04696	DOOR COUNTY TREASURER	JULY INTERNET USAGE ADMIN	01-120-000-56700	2.70
TOTAL				2.70
TOTAL ADMINISTRATION				2.70
CITY ASSESSOR				
04696	DOOR COUNTY TREASURER	JULY INTERNET USAGE ASSESSOR	01-130-000-56700	5.40
ASSO APP	ASSOCIATED APPRAISAL	09/3/13 CONTRACT PROFESS SERV	01-130-000-55010	1,245.83
TOTAL				1,251.23
TOTAL CITY ASSESSOR				1,251.23
BUILDING/ZONING CODE ENFORCEMENT				
04696	DOOR COUNTY TREASURER	JULY INTERNET USAGE INSPECT	01-140-000-56700	2.70
WIS ADM	WI DEPT OF ADMINISTRATION	10 SEALS	01-140-000-52750	303.00
TOTAL				305.70
TOTAL BUILDING/ZONING CODE ENFORCEMENT				305.70
MUNICIPAL SERVICES ADMIN.				
04696	DOOR COUNTY TREASURER	JULY INTERNET USAGE ENGINEER	01-145-000-56700	5.40
TOTAL				5.40
TOTAL MUNICIPAL SERVICES ADMIN.				5.40
PUBLIC WORKS ADMINISTRATION				
04696	DOOR COUNTY TREASURER	JULY INTERNET USAGE MUN SERV	01-150-000-56700	6.75
TOTAL				6.75
TOTAL PUBLIC WORKS ADMINISTRATION				6.75

INVOICES DUE ON/BEFORE 09/03/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
<b>GENERAL FUND</b>				
<b>CITY HALL</b>				
23730	WPS	CITY HALL	01-160-000-56600	604.92
KONE	KONE INC.	SERVICE WORK -ELEVATOR	01-160-000-58999	5,192.41
TOTAL				5,797.33
TOTAL CITY HALL				5,797.33
<b>GENERAL EXPENDITURES</b>				
04525	GANNETT WISCONSIN NEWSPAPERS	COUNCIL MINS/ORDIN/BD REVIEW	01-199-000-57450	543.15
04525		PUB HEAR NOTICE YMCA	01-199-000-57450	36.74
16555	PINKERT LAW FIRM, LLP	TID 1 LEGAL	01-199-000-51525	130.00
TOTAL				709.89
TOTAL GENERAL EXPENDITURES				709.89
<b>POLICE DEPARTMENT</b>				
04525	GANNETT WISCONSIN NEWSPAPERS	AD PT POLICE ASSISTANT	01-200-000-51600	336.60
04696	DOOR COUNTY TREASURER	JULY INTERNET USAGE POLICE DEP	01-200-000-56700	37.80
15890	PACK AND SHIP PLUS	SHIPPING	01-200-000-57250	18.36
17700	QUILL CORPORATION	MISC OFFICE SUPPLIES	01-200-000-51950	131.38
20081	TARGET BANK	GROCERY ITEM FOR CLASS	01-200-000-54999	0.97
20081		MISC OFFICE SUPPLIES	01-200-000-51950	32.48
22800	WALMART COMMUNITY	CD/DVD DISKS	01-200-000-51950	50.60
FIRST	FIRST NATIONAL BANK OF OMAHA	MISD CITATIONS	01-200-000-51600	41.50
TOTAL				649.69
TOTAL POLICE DEPARTMENT				649.69
<b>POLICE DEPARTMENT/PATROL</b>				
01550	BP AMOCO	OUT OF TOWN FUEL	01-215-000-51650	25.70
02005	BAY ELECTRONICS, INC.	RADIO REPAIR -FORD EXPLR	01-215-000-57550	50.00
02005		TWO WAY RADIO PROGRAMMING	01-215-000-57550	35.00
19880	STURGEON BAY UTILITIES	SUNSET PK BT LAUNCH	01-215-000-56150	11.04
19880		110 S NEENAH AVE CAMERA	01-215-000-56150	11.04
19880		NAUTICAL DR CAMERA WWTP	01-215-000-56150	11.04
20081	TARGET BANK	SD CARDS	01-215-000-54999	51.27
20081		CELLPHONE CASE	01-215-000-54999	14.24
AIS MARK	AIS MARKETING	CSO UNIFORM-SPENCER	01-215-000-52900	41.41
BAYCOM	BAYCOM	INSTALL ARMREST SQ#30	01-215-000-58600	85.00
BAYCOM		SURFACE MOUNT ARMREST	01-215-000-58600	84.00
FIRST	FIRST NATIONAL BANK OF OMAHA	DOOR HANDLE AND SHIPPING	01-215-000-58600	60.77
FIRST		WIS POLICE LEAD CONF BRINKMAN	01-215-000-55600	135.00
TASER	TASER INTERNATIONAL	SHIPPING CHARGES	01-215-000-51050	12.96
TOTAL				628.47
TOTAL POLICE DEPARTMENT/PATROL				628.47

INVOICES DUE ON/BEFORE 09/03/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
POLICE DEPT. / INVESTIGATIONS				
03134	CELLCOM-STURGEON BAY STORE	CELL PHONE EQUIP	01-225-000-57950	9.95
20081	TARGET BANK	SONY CAMERA	01-225-000-51500	89.99
23645	WISCONSIN DEPT JUSTICE TIME	CONF REGISTRATION CIB -OLSON	01-225-000-57950	70.00
FIRST	FIRST NATIONAL BANK OF OMAHA	PACKER CARDS	01-225-000-57950	245.00
TOTAL				414.94
TOTAL POLICE DEPT. / INVESTIGATIONS				414.94

FIRE DEPARTMENT

04150	DE JARDIN CLEANERS LLC	SHORTEN TURN OUT -GEAR PANTS	01-250-000-52900	25.00
04300	KEN DOELL	UNIFORM SHIRTS	01-250-000-52900	90.00
04545	DOOR COUNTY COOPERATIVE	JOINT COMPOUND	01-250-000-54999	5.49
04545		SHELF BRACKETS	01-250-000-54999	26.37
04696	DOOR COUNTY TREASURER	JUY INTERNET USAGE FIRE DEPT	01-250-000-56700	16.20
06400	FIVE ALARM FIRE SAFETY	FIT TESTING SMOKE TUBES	01-250-000-51350	174.00
13842	MOTOROLA	PAGER REPAIR	01-250-000-57550	78.00
14000	NAPA AUTO PARTS	BATTERY UNIT #8	01-250-000-53000	48.90
14000		PRIMARY WIRE	01-250-000-53000	14.98
19880	STURGEON BAY UTILITIES	OTUMBA PARK	01-250-000-56675	3.56
19880		WEST SIDE WARMING HSE	01-250-000-56675	3.56
19880		WEST SIDE FIRE STATION	01-250-000-56675	29.00
19880		WEST SIDE FIRE STATION	01-250-000-56150	89.66
19880		WEST SIDE FIRE STATION	01-250-000-58650	78.18
19880		JACYEES BALLFLD STAND	01-250-000-56675	9.00
19880		MICH ST JC BALLFLD SPRNK	01-250-000-56675	29.00
19880		WEST SIDE BALL FLD LITES	01-250-000-56675	3.56
19880		N 14TH WARNING SIREN	01-250-000-56150	8.36
19880		38 S NEENAH AVE PAVILLION	01-250-000-56675	3.56
19880		38 S NEENAH AVE RSTRM/FC	01-250-000-56675	18.00
19880		COVE RD/CANAL RD SIREN	01-250-000-56150	14.24
19880		SUNSET PK STAR PLANT	01-250-000-56675	29.00
19880		835 N 14TH AVE SIGN SHED	01-250-000-56675	3.56
19880		CHERRY BLSSM PK	01-250-000-56675	9.00
19880		CLAY BANKS SIREN	01-250-000-56150	16.33
19880		835 N 14TH AVE CITY GARAGE	01-250-000-56675	29.00
19880		DUCK POND	01-250-000-56675	3.56
19880		SUNSET CNTR/NEW CONC	01-250-000-56675	29.00
19880		FRANK GRASSE MEM SHELTER	01-250-000-56675	9.00
22800	WALMART COMMUNITY	ROLLERS/PADS/5 GAL PAINT	01-250-000-54999	134.72
23730	WPS	656 S OXFORD AVE W SIDE FIRE	01-250-000-56600	14.41
DC FIRE	DOOR COUNTY FIRE CHIEF'S INC	2013 MEMBERSHIP	01-250-000-56000	100.00
FIRST	FIRST NATIONAL BANK OF OMAHA	2 DOCKING STATIONS	01-250-000-51350	59.90
FIRST		SCBA BATTERIES	01-250-000-56250	268.19
FIRST		2-400 WATT INVERTORS	01-250-000-53000	71.63
STATEEMP	STATE EMPLOYMENT RELATIONS	PART TIME FIREFIGHTER EXAMS	01-250-000-56000	175.00
WIEGANDB	BRENT WIEGAND	DUTY SHIRT	01-250-000-52900	13.00
TOTAL				1,733.92
TOTAL FIRE DEPARTMENT				1,733.92

INVOICES DUE ON/BEFORE 09/03/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
10750	PREMIER CONCRETE INC	JOLIET/HICK STRMCATCH BSN REP	01-300-000-51150	40.50
		TOTAL		40.50
		TOTAL STORM SEWERS		40.50
STREET SIGNS AND MARKINGS				
22800	WALMART COMMUNITY	BATTERIES FOR FLASHERS	01-420-000-52550	83.79
		TOTAL		83.79
		TOTAL STREET SIGNS AND MARKINGS		83.79
CITY GARAGE				
19880	STURGEON BAY UTILITIES	N 14TH AVE SALT SHED	01-460-000-56150	11.80
19880		835 N 14TH AVE CITY GARAGE	01-460-000-56150	762.01
19880		835 N 14TH AVE CITY GARAGE	01-460-000-58650	121.00
22800	WALMART COMMUNITY	BENADRYL	01-460-000-52350	5.46
23730	WPS	835 N 14TH AVE CITY GARGAGE	01-460-000-56600	28.81
		TOTAL		929.08
		TOTAL CITY GARAGE		929.08
HIGHWAYS - GENERAL				
19880	STURGEON BAY UTILITIES	TFFC WARN LIGHT ELM CTY C	01-499-000-58000	2.75
		TOTAL		2.75
		TOTAL HIGHWAYS - GENERAL		2.75
PARK & RECREATION ADMIN				
04696	DOOR COUNTY TREASURER	JULY INTERNET USAGE PARKS	01-500-000-56700	4.05
22800	WALMART COMMUNITY	CANY FOR MOVIES	01-500-000-52250	28.40
22800		ENVELOPES AND RECEIPT BOOKS	01-500-000-51950	15.26
22800		SNACKS--POLICE ACADEMY	01-500-000-52250	19.34
CASE COM	CASE COMMUNICATIONS	JULY RADIO ADVERTISING	01-500-000-57450	294.00
FIRST	FIRST NATIONAL BANK OF OMAHA	BREW TICKET/BUS PARK/MLB FEE	01-500-000-52250	375.00
FIRST		GUARDIAN MOVIE	01-500-000-52250	421.00
FIRST		WILLY WONKA MOVIE	01-500-000-52250	396.00
		TOTAL		1,553.05
		TOTAL PARK & RECREATION ADMIN		1,553.05
PARKS AND PLAYGROUNDS				

INVOICES DUE ON/BEFORE 09/03/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
03075	CARQUEST OF DOOR COUNTY	CART WHEEL	01-510-000-53000	15.80
04545	DOOR COUNTY COOPERATIVE	MATERIALS TO FIX HOSES	01-510-000-52700	13.26
19880	STURGEON BAY UTILITIES	OTUMBA PARK	01-510-000-56150	64.06
19880		OTUMBA PARK	01-510-000-58650	52.11
19880		WEST SIDE WARMING HSE	01-510-000-56150	373.53
19880		WEST SIDE WARMING HSE	01-510-000-58650	73.89
19880		JACYEES BALLFLD STAND	01-510-000-56150	45.10
19880		JACYEES BALLFLD STAND	01-510-000-58650	77.83
19880		OTUMBA PK WLKWAY LITES	01-510-000-56150	29.39
19880		OTUMBA PK/STREET LITE	01-510-000-56150	152.49
19880		FLORIDA ST /SUNSET PK	01-510-000-56150	15.64
19880		835 N 14TH AVE SIGN SHED	01-510-000-56150	15.87
19880		835 N 14TH AVE SIGN SHED	01-510-000-58650	18.71
19880		CHERRY BLSSM PK	01-510-000-56150	29.27
19880		CHERRY BLSSM PK	01-510-000-58650	31.37
19880		DUCK POND	01-510-000-58650	7.50
19880		SUNSET CNTR/NEW CONC	01-510-000-56150	179.42
19880		SUNSET CNTR/NEW CONC	01-510-000-58650	48.40
19880		FRANK GRASSE MEM SHELTER	01-510-000-56150	125.57
19880		FRANK GRASSE MEM SHELTER	01-510-000-58650	150.57
23730	WPS	335 S 14TH AVE MEM FLD	01-510-000-56600	21.59
AHERN	JF AHERN CO.	ANNL FIRE EXTIN CHECK	01-510-000-58999	879.35
L&P	L&P CONVENIENT STORE SBAY LLC	FUEL FOR SMALL ENGINES	01-510-000-51650	36.89
L&P		FUEL FOR SMALL ENGINES	01-510-000-51650	49.20
L&P		FUEL FOR SMALL ENGINES	01-510-000-51650	38.08
TOTAL				2,544.89
TOTAL PARKS AND PLAYGROUNDS				2,544.89
BALLFIELDS				
20250	TILLMAN LANDSCAPE & NURSERY IN	300 SOD /4 PALLET DEP MEM FLD	01-520-000-51750	405.00
38290	HI TEC FABRICATION	PIPE EXTENSION-MEM FLD	01-520-000-51750	25.00
R0000807	MARK THIEDE	FRST PYMT PAINT MEM/PBI BUILD	01-520-000-58999	4,000.00
TOTAL				4,430.00
TOTAL BALLFIELDS				4,430.00
MUNICIPAL DOCKS				
19880	STURGEON BAY UTILITIES	36 S NEENAH PKG LOT LTS	01-550-000-56150	163.27
19880		38 S NEENAH AVE PAVILLION	01-550-000-56150	65.32
19880		38 S NEENAH AVE PAVILLION	01-550-000-58650	250.87
19880		38 S NEENAH AVE RSTRM/FC	01-550-000-56150	154.11
19880		38 S NEENAH AVE RSTRM/FC	01-550-000-58650	604.77
23730	WPS	36 S NEENAH AVE RESTROOM	01-550-000-56600	33.70
TOTAL				1,272.04
TOTAL MUNICIPAL DOCKS				1,272.04

INVOICES DUE ON/BEFORE 09/03/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
<b>GENERAL FUND</b>				
<b>WATER WEED MANAGEMENT</b>				
03075	CARQUEST OF DOOR COUNTY	HARVESTER SWITCHES	01-560-000-51400	123.00
03075		SM HARVESTOR BATTERIES	01-560-000-51400	110.28
19070	SCHARTNER IMPLEMENT INC	HARVESTER CUTTER TEETH BOLTS	01-560-000-51400	10.00
TOTAL				243.28
TOTAL WATER WEED MANAGEMENT				243.28
<b>WATERFRONT PARKS &amp; WALKWAYS</b>				
04545	DOOR COUNTY COOPERATIVE	STONE HARBOR CLEANING SUPPLIES	01-570-000-54999	34.58
04545		PITCH FORK-STONE HARBOR	01-570-000-54999	13.49
19880	STURGEON BAY UTILITIES	DC MUSEUM WALKWAY LIGHT	01-570-000-56150	27.08
22800	WALMART COMMUNITY	HOSE	01-570-000-51750	56.00
22800		HOSE	01-570-000-51750	130.57
22800		CREDIT RETURN HOSE	01-570-000-51750	-59.08
VIKING	VIKING ELECTRIC SUPPLY, INC	TWIN TUBE BULBS-WATERFRONT	01-570-000-51750	27.96
TOTAL				230.60
TOTAL WATERFRONT PARKS & WALKWAYS				230.60
<b>COMMUNITY &amp; ECONOMIC DEVLPMT</b>				
04696	DOOR COUNTY TREASURER	JULY INTERNET USAGE COMM DEV	01-900-000-56700	5.40
17700	QUILL CORPORATION	OFFICE SUPPLIES	01-900-000-51950	182.95
TOTAL				188.35
TOTAL COMMUNITY & ECONOMIC DEVLPMT				188.35
TOTAL GENERAL FUND				41,525.18
<b>CAPITAL FUND</b>				
<b>GENERAL EXPENDITURES</b>				
23730	WFS	RE ROUTE TRAN LINE/REG STAT	10-199-000-59999	48,723.73
TOTAL				48,723.73
TOTAL GENERAL EXPENDITURES				48,723.73
<b>PATROL</b>				
ONE	ONE SOURCE TECHNOLOGIES, INC	IP CAMERA LIC/SURVEILL SUPPORT	10-215-000-59999	6,958.00
TOTAL				6,958.00
TOTAL PATROL				6,958.00
TOTAL CAPITAL FUND				55,681.73

INVOICES DUE ON/BEFORE 09/03/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
CABLE TV				
CABLE TV / GENERAL				
CABLE TV / GENERAL				
MANN	MANN COMMUNICATIONS, LLC	9/3/13 CONTRACT	21-000-000-55015	4,390.00
TOTAL CABLE TV / GENERAL				4,390.00
TOTAL CABLE TV / GENERAL				4,390.00
TOTAL CABLE TV				4,390.00
TID #2 DISTRICT				
TID DISTRICT #2				
T2 SERIES 2006A				
01761	ASSOCIATED TRUST COMPANY	PAYING AGENT FEES	25-320-933-70002	266.90
TOTAL T2 SERIES 2006A				266.90
TOTAL TID DISTRICT #2				266.90
TOTAL TID #2 DISTRICT				266.90
TID #3 DISTRICT				
TID #3 DISTRICT				
16555	PINKERT LAW FIRM, LLP	7/2013 T3 LEGAL	27-330-000-55001	221.00
TOTAL				221.00
\$1.685 NOTES				
02220	BAYLAKE BANK	TID #3 WIRETECH	27-330-937-70001	27,462.50
TOTAL \$1.685 NOTES				27,462.50
TOTAL TID #3 DISTRICT				27,683.50
TOTAL TID #3 DISTRICT				27,683.50
TID #4 DISTRICT				
TID #4 DISTRICT				
04525	GANNETT WISCONSIN NEWSPAPERS	BID AD TID 4	28-340-000-58999	92.85
16555	PINKERT LAW FIRM, LLP	7/13 T4 LEGAL	28-340-000-55001	871.00
TOTAL				963.85
TOTAL TID #4 DISTRICT				963.85
TOTAL TID #4 DISTRICT				963.85
TOTAL ALL FUNDS				130,511.16

INVOICES DUE ON/BEFORE 09/03/2013

VENDOR # NAME ITEM DESCRIPTION ACCOUNT # AMOUNT DUE

SUMMARY OF FUNDS:

GENERAL FUND	<del>41,525.18</del>	50,473.81
CAPITAL FUND	55,681.73	
CABLE TV	4,390.00	
TID #2 DISTRICT	266.90	
TID #3 DISTRICT	27,683.50	
TID #4 DISTRICT	963.85	
TOTAL --- ALL FUNDS	<del>130,511.16</del>	139,459.79

*Donny B. Wiegel* 8/27/13  
*[Signature]* 8/27/13  
*[Signature]* 8/27/13

COMMON COUNCIL  
August 20, 2013

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, Ireland, Wiesner, Stutting, Fett and Schlicht were present.

Schlicht/Fett to amend the agenda removing item #9 and to postpone items 10-14 until the September 17, 2013 Common Council meeting. Carried. Roll call: Carried with Wiegand, Vandertie, and Ireland voting no. Vote taken on the original motion as amended. Carried with Wiegand voting no.

Stutting/Schlicht to approve following bills: General Fund - \$140,059.49, Capital Fund - \$797.00, TID #4 - \$44,388.17 and Solid Waste Enterprise Fund - \$18,595.72 for a grand total of \$203,840.38. Roll call: All voted aye. Carried.

Fett/Wiegand to approve consent agenda:

- a. Approval of 8/6/13 regular and 8/6/13 closed session Common Council minutes.
- b. Approval of the following minutes:
  - (1) Sturgeon Bay Utility Commission – 7/9/13
  - (2) Harbor Commission – 7/22/13
  - (3) Joint County of Door Loan Review Committee and City Loan Review Committee – 7/29/13
  - (4) Personnel Committee – 7/30/13
  - (5) Bicycle and Pedestrian Advisory Committee – 8/1/13
  - (6) Finance/Purchasing & Building Committee – 8/6/13
  - (7) Board of Review – 8/7/13
  - (8) Loan Review Committee – 8/12/13
- c. Place following report on file:
  - (1) Bank Reconciliation – July 2013
  - (2) Revenue & Expense Report – July 2013
  - (3) Police Department Report – July 2013
- d. Consideration of: Approval of Beverage Operator licenses.
- e. Sturgeon Bay Revolving Loan Fund Committee recommendation re: Loan of \$40,000 be approved for The Foxglove Inn, LLC.
- f. Sturgeon Bay Revolving Loan Fund Committee recommendation re: Loan originally approved August 19, 2008 for \$225,000 to Sturgeon Bay Cold Storage LLC be refinanced subject to terms and conditions.

Carried.

There were no mayoral appointments.

Wiegand/Wiesner to read in title only and adopt for second reading ordinance re: rezone 21 undeveloped lots, located along N. 19<sup>th</sup> Place, from Single-Family Residential (R-1) to Conservancy (CON). Carried.

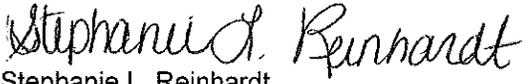
Personnel Committee Chair Stutting, Parking & Traffic Committee Chair Schlicht, Community Protection & Services Committee Chair Fett and Sturgeon Bay Utility Commission member Fett presented reports for their respective committees/commissions.

No one spoke during public comment.

The Mayor made his comments.

Schlicht/Ireland to adjourn. Carried. The meeting adjourned at 8:13 p.m.

Respectfully submitted,



Stephanie L. Reinhardt  
City Clerk/Human Resources Director

6b1.

6b1.

## COMMUNITY PROTECTION & SERVICES COMMITTEE

August 8, 2013

A meeting of the Community Protection & Services Committee was called to order at 5:00 p.m. by Chairperson Fett in Council Chambers, City Hall. **Roll Call:** Members Fett, Wiesner and Ireland were present. Also present: City Administrator McNeil, City Clerk Stephanie Reinhardt, City Attorney Randy Nesbitt, and Police Department Office Manager Spude-Olson.

Moved by Mr. Wiesner, seconded by Mr. Ireland to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Discussion of: "Class B" Combination Licenses
4. Adjourn.

### Discussion of: "Class B" Combination Licenses

Mr. McNeil began the meeting explaining the need for discussion of the "Class B" combination liquor license. City Clerk Reinhardt spoke on the background of the City liquor licenses; in 1983 it was decided by the State that Sturgeon Bay be allowed a 23 license quota for a tavern "Class B" combination liquor license. Each year the licenses are reviewed and approved for a one year term, July 1<sup>st</sup> – June 30<sup>th</sup>. As long as the license holder renews their application and submits payment, the license may stay linked to a premise even if it is not operational. City Attorney Nesbitt further explained that and "inactive" license, one that belongs to a business that is no longer in operation, at this time is not forced to be pulled from the premise and transferred to another operational business.

Further discussion was prompted by Attorney Nesbitt's information. Question of whether the City should create an ordinance that forces a premise that is not actively using their "Class B" combination liquor license to be pulled, and put into a "lot" where other businesses have a chance to obtain said license.

Problems to this include a business losing their ability to preserve and operate as a bar/restaurant in the future. If a license is pulled from a business, not only would the owner of the business be out, but the lender who holds the building housing the business is would lose property value, thus making it harder to sell. Second, if the City starts to pull non-operable licenses, they may encounter a lawsuit.

To review, the City is allowed one license per 500 residents unless previously established. One exception are restaurants that exceed seating of 300; they can obtain a "Class B" license which is not included in the State's mandated quota as long as they are in business. Liquor licenses are not for sale, they are City owned and granted. The cost of each license is determined by the State.

Public Comment: John Brash, owner of John Martin's Restaurant, would like for the City to consider reclaiming the "Class B" licenses that are not actively being used. It is very difficult for restaurant owners without the "Class B" liquor license to enhance their establishment and profit. He asked whether the City would consider the cost of a lawsuit in order to benefit those without the chance to obtain a full liquor license. Bob Schlict, Alderman for District 7, would like

to amend the ordinance and allow a special application which would revoke a license after a certain number of years it has been inactive.

At this time, the City is not opposed to all restaurants having a "Class B" liquor license. More discussion is needed to push this through. One possible suggestion to make a change includes lobbying the State legislatures and get their advice on how to proceed.

Discussion was closed.

Moved by Mr. Wiesner, seconded by Mr. Ireland to adjourn. Carried. The meeting was adjourned at 5:47 p.m.

Respectfully submitted,

Sarah Spude-Olson  
Police Department Office Manager

**AESTHETIC DESIGN & SITE PLAN REVIEW BOARD**

Monday, August 19, 2013

The Aesthetic Design & Site Plan Review Board meeting was called to order at 8:00 p.m. by Vice-Chairperson Jon Burk in Community Room, City Hall, 421 Michigan St.

**Roll call:** Members Dennis VanBramer, Jon Burk, Holly Feldman and John Kolodziej were present. Excused: Member Mark Lake. Also present were Community Development Director Marty Olejniczak and Community Development Secretary Cheryl Nault.

**Adoption of agenda:** Moved by Mr. Kolodziej, seconded by Ms. Feldman to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from July 15, 2013.
4. Consideration of: Signage for DC Floral, 231 N. 7<sup>th</sup> Avenue.
5. Consideration of: Boat storage building, located at 267 Nautical Drive.
6. Consideration of: 8-unit multi-family dwelling, with detached garage buildings, located on a proposed extension of Thorn St., immediately east of 132 Thorn St.
7. Consideration of: 8-unit multi-family dwelling, with detached garage buildings, located at 306 Nautical Dr.
8. Adjourn.

Carried.

**Approval of minutes from July 15, 2013:** Moved by Mr. VanBramer, seconded by Mr. Kolodziej to approve the minutes from July 15, 2013. Carried.

**Consideration of: Signage for DC Floral, 231 N. 7<sup>th</sup> Avenue:** Mr. Olejniczak explained that DC Floral is relocating their business from Madison Avenue to the former Homespun Touch building, located on the corner of 7<sup>th</sup> Avenue and Jefferson St.

Jason Maccoux, owner of J. Allen Signs, stated that they are proposing a ground sign that would be 7 feet from the alley and 12 feet from the curb. Another proposal is a pole sign that would be located 12 feet from the curb and 15 feet high. Mr. Olejniczak responded that the ground signs need to be located 5 feet from the sidewalk. The pole sign also needs an underclearance of 8 feet or has to be 15 feet from the edge of the driveway.

Mr. Burk read into the record Mr. Lake's comments, who was unable to attend the meeting. Mr. Lake believed the only reason two signs are proposed is because the height of the pole sign makes it difficult to see coming from the west heading east. All other signs in that area are much closer to ground level.

Mr. Maccoux added that eventually they would like to add signage to the pole sign advertising tropical fish.

Mr. Olejniczak suggested that the pole sign could be inverted to help meet the 5-foot setback requirement. Addition of landscaping will soften the base of the pole. Also, the light source needs to be properly shielded.

The Board discussed the two signs, including an option to flip-flop the locations of the two signs. Moved by Mr. Kolodziej, seconded by Mr. VanBramer to issue a certificate of appropriateness, subject to meeting all required codes and setbacks. All ayes. Carried.

**Consideration of: Boat storage building, located at 267 Nautical Drive:** Mr. Olejniczak stated that the proposal is to relocate an existing 140' x 123' boat storage building at 306 Nautical Drive to 267 Nautical Drive, which is behind Lakes Gas. The only change would be the overhead doors.

Ken Lynch, representing Marina View Apartments, stated that this building will be out of sight. It is near the same height as the building already located on the property. It is a steel structure that will be placed on a gravel bed. It will be reinsulated and reroofed.

Stormwater was discussed. Drainage should be in the direction of Shorecrest Road. City Engineer Tony Depies had no concerns with stormwater.

After discussion, it was moved by Mr. Kolodziej, seconded by Mr. VanBramer to issue a certificate of appropriateness as presented. All ayes. Carried.

**Consideration of: 8-unit multi-family dwelling, with detached garage buildings, located on a proposed extension of Thorn St., immediately east of 132 Thorn St.:** Ken Lynch explained that this 8-unit building and garages will look just like the buildings at 226-228 Nautical Drive.

Mr. Olejniczak pointed out that the garages are detached. There are 2<sup>nd</sup> story balconies consistent with all the other existing Marina View apartments approved so far. The proposal is to take Thorn Street and extend it into the property. A small detention area is proposed. The street tree ordinance requires a few street trees to be planted along Thorn St.

Mr. Kolodziej mentioned that there is no common recreational area or common walking area. Mr. Lynch responded that a playground had been installed between 170 and 226 Nautical Drive. There are very few children that use the playground equipment.

Mr. Olejniczak stated that in the Comprehensive Plan, the pedestrian waterfront loop from downtown to the Bayview Bridge is shown. Easements are needed to be acquired from Bay Marine, Roen Salvage, Sewage Treatment Plant, Quarterdeck, as well as along the edge of the marina.

In addition to a paved parking lot, a white vinyl dumpster enclosure will be added.

After no further discussion, it was moved by Mr. VanBramer, seconded by Ms. Feldman to issue a certificate of appropriateness as presented.

Mr. Kolodziej would like to see more landscaping. Mr. Olejniczak stated that in addition to street trees, one canopy tree is required to be planted within 10' of the perimeter of the parking area.

The Board discussed the proper protocol for projects that also require approval of the Plan Commission. Members felt that this proposal should have gone to Plan Commission before coming to this board. Mr. Olejniczak explained that currently there is no policy or rules regarding the order of approvals and that the City Attorney previously had said the approvals could occur in either order. He added that this issue could be discussed at another meeting under rules of procedure. Ms. Feldman does not want the Board's decision that it aesthetically looks fine to affect the Plan Commission's decision.

Moved by Ms. Feldman to table discussion until approved by the Plan Commission. Motion died due to lack of second.

A vote was taken on the original motion. Carried, with Ms. Feldman voting no.

**Consideration of: 8-unit multi-family dwelling, with detached garage buildings, located at 306 Nautical Dr.:** Mr. Lynch stated that this dwelling will be located across from the Sturgeon Bay Yacht Club. It will again be the same building and garages as the others, although Mr. Olejniczak added that there is an old easement where it is unbuildable, so one of the garage buildings is not in line. The proposal complies with setbacks and meets density requirements. There would be landscaping around the foundation, street tree plantings, as well as being required to have a minimum of one tree by the parking area within 10 feet. It is also being recommended that any lighting should use shielded fixtures.

Mr. Kolodziej questioned if public sidewalks were required. Mr. Olejniczak responded that so far there is no requirement for a sidewalk along Nautical Dr. When the Council acted on the preliminary plat, it included a condition that if residential development occurs, it is required that sidewalks be installed on Thorn Street, or something equivalent to sidewalks, such as a pedestrian walkway.

After further discussion, it was moved by Mr. Kolodziej, seconded by Mr. VanBramer to issue a Certificate of Appropriateness as presented.

A vote was taken on the motion. Carried, with Ms. Feldman voting no.

The members asked that the next agenda include consideration of rules of procedure and which committee should consider applications first.

**Adjourn:** Moved by Mr. Kolodziej, seconded by Ms. Feldman to adjourn. Carried. Meeting adjourned at 9:07 p.m.

Respectfully submitted,

  
Cheryl Nault  
Community Development Secretary

August 15, 2013

A meeting of the Parking & Traffic Committee was called to order at 6:32 p.m. by Chairperson Schlicht in Council Chambers, City Hall, 421 Michigan Street.

Members Schlicht, Vandertie and Ireland were present. Also present: Police Chief Arleigh Porter, Police Captain Dan Brinkman, City Engineer Tony Depies and Municipal Services Secretary Colleen DeGrave.

Moved by Ald. Schlicht, seconded by Ald. Ireland to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Consideration of: Recommendation from Bike & Pedestrian Advisory Board re: Accepting the changes to the Michigan Street bike lanes presented in Plan B
4. Consideration of: Motor vehicle, pedestrian, and bicycle pavement markings on Michigan Street
5. Adjourn

Carried.

**Consideration of: Recommendation from Bike & Pedestrian Advisory Board re: Accepting the changes to the Michigan Street bike lanes presented in Plan B.**

Ald. Schlicht explained the history of the original plans for 1<sup>st</sup> Ave. through the highway in regard to Michigan Street, stating the Mayor has now asked the Bike & Pedestrian Advisory Board and the Parking & Traffic Committee to review the lanes on Michigan Street. Ald. Schlicht reported the current recommendation from the Bike & Pedestrian Advisory Board stating the Parking & Traffic Committee had the following three options: approve the current recommendation, create a new recommendation, or paint the Michigan Street lanes the same as they are currently. Ald. Schlicht opened the floor to public comment. John Lodi, Brian Trautman, Lynn LaCrosse, Gordon Swiggum, Dan Powell, Laurel Brooks, Paul Anschutz and Randy Sahs spoke. Five were in favor of keeping the bike lanes on Michigan Street and three were not in favor of the bike lanes.

Public comment was closed at 7:40 P.M.

Ald. Schlicht asked staff for their comments. Police Chief Porter stated he believed everyone's main concern was safety. He stated his main concern was 5<sup>th</sup> Ave. to the Michigan Street Bridge, along with all bicycle movement on Michigan St. He read an excerpt from the original plan that stated Maple to Oregon was the safest route for the bike lanes. He stated any recommendation would have to come with strong education to the public. Tony Depies stated the suggestion to eliminate parking came as a surprise but thought it was a great solution, as the traffic and bike lanes could then be widened. Rick Wiesner, Stuart Fett & Joe Stutting also spoke.

Ald. Schlicht motioned to accept the Bike & Pedestrian Advisory Board's recommendation of Plan B. Ald. Ireland seconded. Question was called.

Motion by Ald. Vandertie, seconded by Ald. Schlicht, to approve Plan B. Ald. Schlicht in favor, Ald. Ireland and Ald. Vandertie opposed. Motion failed.

Motion by Ald. Vandertie, seconded by Ald. Ireland to eliminate parking on both sides of Michigan Street from S. 15<sup>th</sup> Ave to the highway, establishing 6 foot bike lanes on both sides, and two 13.5 foot wide traffic lanes. All in favor. Motion carried.

Ald. Vandertie made a motion to use the recommendation by Tony Depies in regard to the travel lanes at the corner of 14<sup>th</sup> & Michigan St. intersection. Tony Depies said we could not widen the lanes at this point, but adding a lane or widening of the lanes could be looked at during the design process. Motion failed due to lack of second.

Motion by Ald. Vandertie, seconded by Ald. Ireland to establish 6 foot bike lanes on both sides of Michigan from 12<sup>th</sup> Ave. to 15<sup>th</sup> Ave. and two 13.5 foot traffic lanes to establish continuity. Motion withdrawn.

Motion by Ald. Vandertie, seconded by Ald. Ireland, to accept Plan B from the Bicycle & Pedestrian Advisory Board that includes a shared lane (SHARROW) on the north side of Michigan Street from 12<sup>th</sup> Ave. to 15<sup>th</sup> Ave. and a bicycle lane on the south side with no parking on either side of the street, and continuous left hand turn lane from 12<sup>th</sup> Ave. through S. 14<sup>th</sup> Ave. intersections. All in favor. Motion carried.

Motion by Ald. Vandertie, seconded by Ald. Ireland to eliminate parking lanes on Michigan Street from 7<sup>th</sup> Ave. to 12<sup>th</sup> Ave. establishing 5 foot bike lanes on both sides of the street, with two traffic lanes measuring 13.5 feet wide. Vandertie and Ireland in favor, Schlicht opposed. Motion carried.

Motion by Ald. Vandertie, seconded by Ald. Ireland, to paint the centerline 19.5 feet from the curb on Michigan Street from 5<sup>th</sup> Ave. to 7<sup>th</sup> Ave. with parking on both sides of the street. Vandertie & Ireland in favor, Schlicht opposed. Motion carried.

Motion by Ald. Vandertie, seconded by Ald. Ireland, to eliminate all approved bicycle facilities on Michigan Street from 1<sup>st</sup> Ave. to 5<sup>th</sup> Ave. Vandertie & Ireland in favor, Schlicht opposed. Motion carried.

**Consideration of: Motor vehicle, pedestrian, and bicycle pavement markings on Michigan Street.**

Motion by Ald. Schlicht, seconded by Ald. Vandertie to have the Board of Public Works review the scheduling of improvements, changes, etc. on their next agenda. All in favor. Motion carried.

Motion by Ald. Schlicht, seconded by Ald. Vandertie to adjourn. All in favor. Carried.

Meeting adjourned at 8:47 p.m.

Respectfully Submitted,



Colleen K. DeGrave  
Municipal Services Secretary

**WATERFRONT REDEVELOPMENT AUTHORITY**

Monday, August 19, 2013

A meeting of the Waterfront Redevelopment Authority was called to order at 2:04 p.m. by Chairperson Tom Herlache in Community Room, City Hall, 421 Michigan Street.

**Roll call:** Members Tom Herlache, John Asher, Thomas Wulf, and Rick Wiesner were present. Excused: Members Joe Stutting and Ross Schmelzer. Absent: Member William Galligan. Also present were City Administrator Steve McNeil, DCEDC Executive Director Bill Chaudoir, Vandewalle Consultants Jolena Presti and Brian Vandewalle, Finance Director/City Treasurer Val Clarizio, Community Development Director Marty Olejniczak, and Community Development Secretary Cheryl Nault.

**Adoption of agenda:** Moved by Mr. Wulf, seconded by Mr. Asher to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from May 28, 2013.
4. Consideration of: TID #2 (Waterfront District) debt restructuring.
5. Consideration of: Structural/architectural analysis of grain elevator.
6. Consideration of: Update regarding West Waterfront Redevelopment activities.
7. Adjourn.

Carried.

**Approval of minutes from May 28, 2013:** Moved by Mr. Wiesner, seconded by Mr. Wulf to approve the minutes from May 28, 2013. All ayes. Carried.

**Consideration of: TID #2 (Waterfront District) debt restructuring:** Ms. Clarizio stated that interest rates have decreased and it would be a good time to restructure. By refinancing the June 1, 2005 TID #2/General Fund bond issue, as well as the December 1, 2006 TID #2 bond issue, the interest rate would decrease from 3.75% - 4.75% to an estimated 2.2%. The TID #2 estimated savings would be \$69,667.00 and the General Fund net estimated savings would be \$36,252.00. The debt would be paid off in the same number of years, with TID #2 ending in 2021.

Members discussed the restructuring. Mr. Asher questioned what the cost would be to refinance. Ms. Clarizio will check on what that amount would be. Moved by Mr. Wulf, seconded by Mr. Wiesner to recommend to Council that the City proceed to work with Robert W. Baird to refinance the June 1, 2005 and December 1, 2006 TID #2 General Obligation bonds. All ayes. Carried.

**Consideration of: Structural/architectural analysis of grain elevator:** Mr. Olejniczak stated that according to the final draft of the structural component (Phase 1), the grain elevator is a sound building. It was recommended to spend additional money to check the underground wood pilings for deterioration. There is now interest in using that building for the proposed brewery and restaurant. Mr. Olejniczak was directed to obtain cost estimates to expose the pilings.

Mr. Wulf was concerned of all the costs the City has put into the analysis and if the money is well spent other than taking the building down and building a new one.

Mr. Asher suggested to wait and see what the use of the building will be and what kind of load bearings are needed to support what is proposed to be put on it.

Mr. Vandewalle mentioned that the architectural study is already budgeted for, with the granary market in mind. If things change as far as location of the restaurant and brew pub, the architectural fees could be used to have that test done. The interested party in the restaurant wants to see that there will be other development in the area and traffic.

After further discussion, it was moved by Mr. Wiesner, seconded by Mr. Asher to authorize the Chairman to approve spending funds in an amount not to exceed \$10,000.00 for the foundation analysis. All ayes. Carried.

**Consideration of: Update regarding West Waterfront Redevelopment activities:** Mr. Olejniczak stated that the environmental assessment required for the Community Development Block Grant (CDBG) of \$440,000 is now accepted. Most of the grant is used to buy the building. Phase 2 of the environmental site assessment was completed by Ayres. A draft of the assessment was included in the packets. There is less contamination than expected. Methane was present, but not within the buildings. The recommendation stated that there wasn't any further analysis needed. The DNR makes the final decision.

Mr. Olejniczak continued reporting on the Alta Survey update. A stipulation from the State DNR is needed that this is filled land behind the bulkhead line, but he is confident it will get worked out regarding title insurance.

Demo bids are due tomorrow regarding the demo of the buildings except for the grain elevator. An alternate bid was added in regard to "buttoning up" the grain elevator to keep it from leaking any further and getting rid of all the grain residue.

The Coast Guard is still designing their building and are 6-9 months away from construction.

Mr. Vandewalle mentioned that the site should be cleared by December.

Members suggested to do some type of extermination or trapping of any existing animals that may be inside the buildings before demolishing them.

Ms. Presti gave an update on the redevelopment of the public space design under the Coastal Management Grant and how it interacts with the redevelopment on the site and with the waterfront. An outreach meeting will be scheduled for the public. The goal is to maximize the redevelopment activity and connect it to the waterfront as a destination.

Mr. Vandewalle stated that this will be one compelling festival waterfront with the 60' wide boardwalk. They are now thinking of this as a commercial dock instead of a festival dock and are hoping to get this up and running by 2015. He added that wayfinding signage would help tie the project together with the existing business district. Talks continue with potential tenants for the 4 Seasons Market. They will continue to tweak items.

The concern of pedestrians crossing at the foot of the Michigan Street Bridge was discussed, as well as tugboats on the pier and relocation of them.

Mr. Asher suggested that adding a 30'- 40' wooden dock along the bridge would be a proper place for boats to unload their fish for the market.

**Adjourn:** Moved by Mr. Wiesner, seconded by Mr. Wulf to adjourn. Carried. The meeting adjourned at 3:29 p.m.

Respectfully Submitted,

*Cheryl Nault*  
Cheryl Nault  
Community Development Secretary

**Harbor Commission Meeting**  
**August 19, 2013**

A meeting of the Harbor Commission was called to order by Chairperson Nault at 5:30 p.m. in Council Chambers, City Hall, 421 Michigan Street. Members Gary Nault, Stewart Fett, Robert Spude, Paul Mickelson and Matt Felhofer were present. Member Randy Morrow was absent and Steve Propsom was excused. Also present were City Administrator McNeil, Police Chief Arleigh Porter, Alderman Vandertie, Alderman Ireland, Municipal Services Director Bordeau and Municipal Services Assistant Lenius.

Moved by Mr. Fett, second by Mr. Spude to adopt the following agenda:

1. Roll Call
2. Adoption of Agenda
3. Public Comment
4. Consideration of: Water Weed Cutting Recommendations
5. Adjourn

Carried.

Nobody spoke during public comment.

**Consideration of: Water Weed Cutting Recommendations** – Mr. Nault reviewed the previous meetings that were held that included meetings with the WI DNR, marina owners, residents and the final one was to discuss policies and procedures of the operation. He stated the biggest concerns that came out of the meetings was the ability to control the floating water weeds and the increase in the fee that is assessed to the Marina Owners.

Mr. Fett stated that the fees charged to marina owners do not cover the entire costs of the waterweed cutting operation and that some of the costs are covered by tax payers. He mentioned that with budgets and levy limits being what they are now, it is difficult to increase the expenses of any account any more unless there is revenue to offset it. Mr. McNeil gave a breakdown of the expenses and revenues of several accounts and what portion is covered by revenue received or paid by tax dollars.

Mr. Bordeau stated that this year the department has only received one complaint and there has been very little equipment down time. This year's weather helped in the department being able to control the weeds better than in years when it is a long hot summer. Mr. Bordeau stated that he had received a cost to outsource the weed cutting operation to a private company and the estimate came in at approximately \$200,000 which is almost double of what is currently budgeted and they would not be able to provide as many hours of water weed cutting/collection as the department currently does.

The committee made the following recommendations:

1. Continue to work with the Wisconsin DNR to develop new methods to control weeds
2. Work with our current supplier to trial the floater collection equipment that they offered the department to see if it will work for our situation
3. Have staff develop a cost estimate of equipment and a replacement budget guide
4. Have staff investigate current procedures to make a decision if there are ways to improve the efficiency of the department

Moved by Mr. Nault, second by Mr. Fett to adjourn. All in favor. Meeting adjourned at 6:30 p.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Jennifer Lenius".

Jennifer Lenius

Municipal Services Assistant

**FINANCE/PURCHASING & BUILDING COMMITTEE**  
**August 20, 2013**

A meeting of the Finance/Purchasing & Building Committee was called to order at 7:47 p.m. by Chairperson Stutting in the Council Chambers, City Hall, 421 Michigan Street. Roll call: Members Stutting, Wiegand, and Schlicht were present. Also present: Alderperson Fett, Alderperson Wiesner, Alderperson Vandertie, City Administrator McNeil, City Engineer Depies, and Finance Director/City Treasurer Clarizio.

A motion was made by Alderperson Wiegand, seconded by Alderperson Schlicht to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Review bills.
4. Adjourn.

Carried.

A motion was made by Alderperson Wiegand, seconded by Alderperson Schlicht to accept the bills as presented and forward to the Common Council for payment Carried.

A motion was made by Alderperson Schlicht, seconded by Alderperson Wiegand to adjourn. Carried. The meeting adjourned at 7:48 p.m.

Respectfully submitted,

  
Valerie J. Clarizio  
Finance Director/City Treasurer

**FIRE AND POLICE COMMISSION**

August 20, 2013

A meeting of the Fire and Police Commission was called to order at 5:00 p.m. by Commissioner Michael VanDyke, in the Community Room at the Sturgeon Bay Municipal Building.

**Roll Call:** Commission members Michael VanDyke, Charles Brann, Dave Poulton, Barbara Herdina, and Sandy Hurley were present. Also present was Fire Chief Herlache and Assistant Fire Chief Dietman.

**Adoption of Agenda:** Moved by Commissioner Brann and seconded by Commissioner Herdina to accept the agenda as is. All ayes. Motion carried.

**Approval of Minutes:** Minutes from the July 17, 2013 meeting will be approved at a later time.

**A motion was made 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: Interviews for part-time Firefighter eligibility list*

Moved by Commissioner Brann, seconded by Commissioner Poulton. All ayes. Motion carried.

Roll Call: Commission members Michael VanDyke, Charles Brann, Dave Poulton, Barbara Herdina, and Sandy Hurley were present.

**A motion was made to reconvene in open session.** Moved by Commissioner Brann, seconded by Commissioner Poulton. All ayes. Motion carried.

**Reconvene in Open Session:** *A motion was made to place these three candidates, in no particular order, onto an eligibility list for a period of one year, with the option of two. The three candidates are: James Doering, Troy Hasenjager and Tracy Koontz.* Motion made by Commissioner Brann, seconded by Commissioner Poulton. All ayes. Motion carried.

**Set Date for Next Meeting:** The next meeting of the Police and Fire Commission will be set at a later time. A notice of commitment will be sent out before setting the date.

**Adjourn:** Moved by Commissioner Poulton, seconded by Commissioner Herdina to adjourn. All ayes. Motion carried. Time of 6:46 p.m.

Respectfully submitted,

Sarah Spude-Olson  
SBPD Office Manager  
August 22, 2013

**CITY PLAN COMMISSION**  
 Wednesday, August 21, 2013

A meeting of the City Plan Commission was called to order at 7:00 p.m. by Chairperson Dan Wiegand in Council Chambers, City Hall, 421 Michigan Street.

**Roll call:** Members Jeff Norland, Steve Parent, Rick Wiesner, Dan Wiegand, Laurel Brooks, Dennis Statz, and Mike Gilson were present. Also present were City Engineer Tony Depies, Community Development Director Marty Olejniczak, and Community Development Secretary Cheryl Nault.

**Adoption of agenda:** Moved by Mr. Norland, seconded by Ms. Brooks to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from July 17, 2013.
4. Public comment on non-agenda items.
5. Presentation of: Rezone property located at 509 N. 8<sup>th</sup> Avenue from General Commercial (C-1) to Mixed Commercial-Residential (C-5).
6. Conditional use request from Marina View Apartments to relocate an existing boat storage building from its current location at 306 Nautical Drive to a proposed location at 267 Nautical Drive.  
     Presentation:  
     Public hearing:  
     Consideration of:
7. Conditional use request from Marina View Apartments to construct an 8-unit multiple-family dwelling, with detached garage buildings, located on a proposed extension of Thorn St., immediately east of 132 Thorn St.  
     Presentation:  
     Public hearing:  
     Consideration of:
8. Conditional use request from Marina View Apartments to construct an 8-unit multiple-family dwelling, with detached garage buildings, located at 306 Nautical Drive.  
     Presentation:  
     Public hearing:  
     Consideration of:
9. Zoning text amendment regarding minimum street yard for accessory buildings on waterfront lots.  
     Presentation:  
     Public hearing:  
     Consideration of:
10. Adjourn.

Carried.

**Approval of minutes from July 17, 2013:** Moved by Mr. Norland, seconded by Mr. Wiesner to approve the minutes from July 17, 2013. Carried.

**Public comment on non-agenda items:** No one spoke during public comment.

**Presentation of: Rezone property located at 509 N. 8<sup>th</sup> Avenue from General Commercial (C-1) to Mixed Commercial-Residential (C-5):** Mr. Olejniczak stated that the initial presentation is the first step in the rezoning process. The request is to change the current C-1 zoning to C-5.

Tom Haight, 1406 Utah St., explained that he purchased the property this year. It is a duplex that is now vacant. He would like to make this into a single-family home and move into it. C-5 would fit this area.

Mr. Olejniczak added that a single-family dwelling would not be permitted in the C-1 district. The next step is to schedule a public hearing before the Plan Commission. No action was needed at this time.

**Conditional use request from Marina View Apartments to relocate an existing boat storage building from its current location at 306 Nautical Drive to a proposed location at 267 Nautical Drive:**

**Presentation:** Dan Schott, 305 Nautical Dr., stated that he, his wife, Mary, and Ken Lynch are the owners of Marina View Apartments. He has been here since 1998. The existing apartments are at full capacity. His powerpoint presentation included where the boat storage building is currently located and where it would be relocated on the property.

**Public hearing:** Chairperson Wiegand opened the public hearing at 7:10 p.m. No one spoke during the hearing. There was no written correspondence. The public hearing was declared closed at 7:11 p.m.

**Consideration of:** Mr. Olejniczak stated that the proposed site was previously used for boat storage. The only change to the building will be the arrangement of the overhead doors. The recommendation was for approval with the following conditions:

1. All exterior lighting associated with the building shall use cut off fixtures designed such that no direct beams of light are cast skyward or are seen from adjoining properties.
2. The building be located at least 25 feet from the drainage way.

Mr. Wiegand expressed his concern with water runoff and contaminants, garbage, cradles, etc. that was on the property.

Mr. Schott mentioned that Bay Marine leases the entire marina property, including the boat storage building, which will expire September, 2014.

In regard to the stormwater runoff, Mr. Depies said the best option is for the water to drain toward Shorecrest through the grassy area.

After a short discussion, it was moved by Mr. Gilson, seconded by Mr. Norland to approve the conditional use request as presented, subject to the conditions recommended by staff. All ayes. Carried.

**Conditional use request from Marina View Apartments to construct an 8-unit multiple-family dwelling, with detached garage buildings, located on a proposed extension of Thorn St., immediately east of 132 Thorn St.:**

**Presentation:** Mr. Schott provided a powerpoint presentation in regard to the proposed 8-unit multifamily dwelling and detached garage buildings on Thorn St. He explained that all buildings will look alike. He showed a demographic report of Marina View Apartment tenants. Twenty-nine percent of the tenants are between the ages of 20-30; 10% between the ages of 31-45; and 61% are between the ages of 46-100. Sixty-three percent are new to Sturgeon Bay. He mentioned that an easement will be given to the City for the waterfront walkway.

**Public hearing:** Chairperson Wiegand opened the public hearing at 7:29 p.m. Tom Utzinger, 332 S. Neenah Ave., said he was not in opposition of the project, although he was concerned about standing water in his backyard, as well as the neighbors. He asked that proper silt fences be installed during construction of any future development.

Cory Treichel, 446 S. Oxford Avenue, stated that he was not for the proposal, but will not oppose it. He would be happy with a paved shoulder on Thorn St. instead of curb & gutter and sidewalks.

Jim McGowan, 506 S. Oxford Avenue, commended Mr. Schott's progress in what he is trying to do. He doesn't feel he should have to pay for sidewalks if they are installed.

Tim Whitford, 404 S. Neenah Avenue, agreed with Mr. Utzinger. He also has standing water in his backyard and wanted to know where the water is supposed to be directed.

Ms. Nault read three letters of correspondence in favor of the project from Jan McKelvey, ERA Starr Realty; Jim Olson, 170 Nautical Dr.; and Vesta Ottosen, Eau Claire, WI.

The public hearing was declared closed at 7:39 p.m.

**Consideration of:** Mr. Olejniczak stated that the proposal complies with C-2 zoning. Staff feels it is a good plan. The Aesthetic Design and Site Plan Review Board recently gave their approval for the project.

Mr. Schott indicated where the walkway easement would be created at the edge of Lots 3, 4, and 5. His plan was to give the City an 8' easement from the end of Thorn St. to create a tie between Lots 3 and 4.

Mr. Wiegand stated that the type of tenants could change in the future. He felt that a play area is needed.

Mr. Schott said he understands that occupancy cannot be given until all drainage and roads are in place. The subdivision cannot be approved until all are taken care of. He also explained that the walking path is not going on the subdivision property. It will be located on the marina property.

Mr. Parent would like to have a written agreement with other properties regarding the pedestrian easement before other lots are developed.

Landscaping was discussed. Street trees are authorized by the City Forester. Mr. Schott added that the landscaping will be identical to 226-228 Nautical Dr.

Mr. Wiegand brought up the \$25,000.00 performance bond that was required for previous projects. Mr. Gilson said that they have shown that they can get things done and a bond shouldn't be a requirement. Mr. Parent added that everything needs to be completed before occupancy, so that serves as such a bond.

After further discussion, it was moved by Mr. Norland, seconded by Mr. Gilson to approve the conditional use request, subject to the following conditions recommended by staff and changing #9 from a 5' wide walkway to an 8' wide walkway:

1. The lot must be created by recording either a CSM or the plat of Marina View Subdivision.
2. Thorn Street must be dedicated and constructed in accordance with plans approved by the Common Council.
3. All portions of the stormwater management system for Marina View Subdivision impacted by the proposed development on Lot 1 must be installed, including off-site improvements.
4. Any exterior lighting needs to use the cutoff fixtures to prevent spillover onto adjoining parcels.
5. The width of the driveway opening needs to be reduced to 35 feet or less, unless a variance is approved.
6. At least one canopy tree must be planted within 10 feet of the perimeter of the parking area.
7. The garbage receptacle area shall be enclosed by solid fencing.
8. An agreement between the property owner and the City shall be signed indicating that a minimum 12-foot wide pedestrian easement will be granted along or near the east line of the subject property, with the exact location to be mutually agreed upon between the property owner and City. The agreement shall state that this easement shall be granted at the time the City is able to procure easements and/or right-of-way for the remainder of the proposed waterfront walkway from Sawyer Park through the Quarterdeck Marina property.
9. Creation of a pedestrian easement and installation of an 8-foot wide walkway from the end of Thorn Street to the east line of the Marina View Subdivision. Construction of the walkway can be timed to coincide with construction of Thorn Street turnaround (bulb) or financial assurance can be submitted in lieu of actual construction.
10. Approval of a certificate of appropriateness by the Aesthetic Design and Site Plan Review Board.

Moved by Mr. Wiegand, seconded by Mr. Statz to amend the motion and include a gathering/recreation area at this location similar to the other play areas. Mr. Schott stated that he was against having a swingset on every lot. He has future plans of a recreation center after Bay Marine's lease is up.

A roll call vote was taken on the amendment to the motion. Motion failed, with Mr. Wiegand voted aye.

A roll call vote was taken on the original motion. All ayes. Carried.

**Conditional use request from Marina View Apartments to construct an 8-unit multiple-family dwelling, with detached garage buildings, located at 306 Nautical Drive:**

**Presentation:** Mr. Olejniczak stated that there is a 15' minimum setback requirement. The plans indicate a 35' setback for the building, which matches a condition the Plan Commission placed on a previous proposed project.

Mr. Schott presented different views from where the dwelling would be located. He said he is willing to put in writing that he will not allow the evergreen trees that were planted between his property and the neighboring property to grow higher than 8'.

**Public hearing:** Chairperson Wiegand opened the public hearing at 8:37 p.m.

Jennifer DuPont, owner of the adjacent property, stated that there is a long history with this project. She felt that the building was too big and too tall. There were issues with the floodplain. She asked if a 6-unit could be considered and the garages be moved and offered Mr. Schott use of some of her no build easement. She also would like to have the dumpster relocated to Thorn St. The 35' setback she was in agreement with.

Cory Treichel, 446 S. Oxford Avenue, stated that his property was adjacent to both properties. He would also like to see a smaller and shorter structure. This effects properties on both sides.

Ken Lynch, 1522 Lynch Bluff Rd., Brussels, WI, said that the property had already been taken out of the floodplain.

There was no other written correspondence. The public hearing was declared closed at 8:45 p.m.

**Consideration of:** Mr. Olejniczak stated the marina driveway on the east end of the subject parcel was shifted further away from the apartment building which provides more green space and better separation. There were no problems with utilities and the recommendation was for approval with the following conditions:

1. The lot must be created by recording either a CSM or the plat of Marina View Subdivision.
2. All portions of the stormwater management system for Marina View Subdivision impacted by the proposed development on the subject property must be installed, including any off-site improvements.
3. Any exterior lighting needs to use the cutoff fixtures to prevent spillover onto adjoining parcels.
4. The width of the driveway opening needs to be reduced to 35 feet or less, unless a variance is approved.
5. At least one canopy tree must be planted within 10 feet of the perimeter of the parking area.
6. The garbage receptacle area shall be enclosed by solid fencing.

7. A 20-foot wide easement for the water main shall be recorded subject to approval by Sturgeon Bay Utilities.
8. An agreement between the property owner and the City shall be signed indicating that a minimum 12-foot wide pedestrian easement will be granted along or near the east line of the subject property, with the exact location to be mutually agreed upon between the property owner and City. The agreement shall state that this easement shall be granted at the time the City is able to procure easements and/or right-of-way for the remainder of the proposed waterfront walkway from Sawyer Park through the Quarterdeck Marina property.
9. Approval of a certificate of appropriateness by the Aesthetic Design and Site Plan Review Board.

Commission members considered the request. They discussed the garbage receptacle, types and location of trees, and placing stonework on the front of the building, similar to the 4-unit building to the south.

Moved by Mr. Gilson, seconded by Mr. Norland to approve the conditional use request, subject to staff's recommendations.

Moved by Mr. Wiegand, seconded by Mr. Wiesner to amend the motion and relocate the garbage receptacle to the rear of the property and require placement of stonework on the front side of the building (facing water) in a similar fashion as the existing 4-unit building to the south. The Commission decided to take separate votes on each part of the amendment to the motion.

A roll call vote was taken on the relocation of the garbage receptacle. All ayes. Carried.

A roll call vote was taken on the placement of stonework on the front side of the building. Carried, with Mr. Gilson and Mr. Norland voting no.

A roll call vote was taken on the original motion as amended. All ayes. Carried.

**Zoning text amendment regarding minimum street yard for accessory buildings on waterfront lots:**

**Presentation:** Mr. Olejniczak presented the proposed zoning text amendment relating to the setback for accessory buildings on waterfront lots. This was discussed at previous Plan Commission meetings. Currently, there is a requirement that an accessory building be behind or no closer to the street than the principal building unless the principal building is at least 60' back off the road. It does not work well on certain waterfront lots. It can force a garage to be waterward of the house and can cause problems with the property owner and the public as viewed from the water. The amendment exempts waterfront lots abutting the waters of Sturgeon Bay from that provision. The standard 25' setback from the street for an accessory building still applies.

This amendment would also move an existing provision into its own subsection regarding an accessory building shall be located no closer than five feet to the principal building.

**Public hearing:** Chairperson Wiegand opened the public hearing at 9:09 p.m. No one spoke during the hearing. There was no written correspondence. The public hearing was declared closed at 9:10 p.m.

**Consideration of:** Moved by Mr. Statz, seconded by Ms. Brooks to recommend to Council the following text amendment regarding minimum street yard for accessory buildings on waterfront lots:

Repeal and recreate Section 20.29(2) of the Municipal Code (Zoning Code) regarding minimum street yard for accessory buildings on waterfront lots to read as follows:

(2) *Street Yard.* There shall be a minimum setback from the street right-of-way line of 25 feet. In addition, except on waterfront lots abutting the waters of Sturgeon Bay, an accessory building shall be located ~~no closer than five feet to the principal building and~~ no closer than the principal building to the street at its nearest point, except when the principal building is more than 60 feet from the street, the accessory building minimum setback shall be 60 feet.

Create Section 20.29(8) as follows:

(8) *Separation.* An accessory building shall be located no closer than five feet to the principal building.

All ayes. Carried.

**Adjourn:** Moved by Mr. Statz, seconded by Ms. Brooks to adjourn. Carried. Meeting adjourned at 9:10 p.m.

Respectfully submitted,

  
Cheryl Nault  
Community Development Secretary

6c.

6c.

### BEVERAGE OPERATOR LICENSES

1. Grovogel, Terra A.
2. Hayes, Bobbie L.
3. Hunt, Leah M.
4. Leyendecker, Eric

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the City Plan Commission, hereby recommend to repeal and recreate Section 20.29(2) of the Municipal Code (Zoning Code) regarding minimum street yard for accessory buildings on waterfront lots as follows:

(2) *Street Yard.* There shall be a minimum setback from the street right-of-way line of 25 feet. In addition, except on waterfront lots abutting the waters of Sturgeon Bay, an accessory building shall be located ~~no closer than five feet to the principal building~~ and no closer than the principal building to the street at its nearest point, except when the principal building is more than 60 feet from the street, the accessory building minimum setback shall be 60 feet.

and

Create Section 20.29(8) as follows:

(8) *Separation.* An accessory building shall be located no closer than five feet to the principal building.

Respectfully submitted:  
CITY PLAN COMMISSION  
By Dan Wiegand, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Date: August 21, 2013

\*\*\*\*\*

Introduced by \_\_\_\_\_.

Moved by Alderperson \_\_\_\_\_, seconded by Alderperson \_\_\_\_\_ that said recommendation be adopted.

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

2. The exterior materials and roof materials on each unit shall be the same color and consistency.
  3. The plans, specifications, and construction of such buildings shall include the installation of separate sewer, water and other utility services to each dwelling unit.
- (c) Matters of mutual concern to adjoining property owners due to construction, catastrophe, and/or maintenance shall be governed by private covenants, declarations, or deed restrictions and the City of Sturgeon Bay shall not be responsible for the same. A copy of such covenants, declarations, or restrictions shall be submitted to the city for its review prior to issuance of a building permit.
- (d) Zero lot line duplexes (attached dwelling units) shall only be permitted on lots that have been identified for such development on the applicable subdivision plat or certified survey map. Such lots shall be identified at the time of approval of the subdivision plat or certified survey map (CSM). For all such lots containing less than 70 feet of lot width or 8,400 square feet of lot area, a covenant shall be placed on the face of the subdivision plats and certified survey maps creating such lots as follows: "Development on Lots (*list lot numbers*) is restricted to the construction of zero lot line duplexes (attached dwelling units)." No odd number of lots may be created nor may construction skip an odd number of lots.

(Ord. No. 961-1195, § 3, 11-7-95; Ord. No. 1105-0803, § 1, 8-19-03; Ord. No. 1115-1203, § 1, 12-2-03; Ord. No. 1128-0804, §§ 3, 5, 8-17-04; Ord. No. 1135-1204, § 1, 12-21-04; Ord. No. 1174-0906, §§ 3—5, 9-20-06)

#### 20.28 Height and area regulations for PUD district.

There shall be no definite regulations applicable to the PUD district, except as specified in section 20.24 or as established by the applicable ordinance establishing each such district.

(Ord. No. 961-1195, § 3, 11-7-95)

#### 20.29 Accessory building height and area regulations—Single-family dwellings and two-family dwellings.

Accessory building regulations, for single-family dwellings and two-family dwellings, shall be as follows:

- (1) *Height.* The height of an accessory building shall not exceed 14 feet, measured from the finished grade to the highest point of the roof, unless all of the following conditions are met:
  - (a) In cases where the construction of the accessory building's roof pitch and side walls match that of the principal building, then the maximum building height shall not exceed 24 feet and the eave side walls shall not exceed 14 feet.
  - (b) The overall building height may equal, but not exceed, the height of the principal building.

(c) The maximum height of the eave sidewall shall not exceed ten feet on structures 1,000 square feet or less and structures more than 1,000 square feet shall be limited to 16 feet.



- (2) *Street yard.* There shall be a minimum setback from the street right-of-way line of 25 feet. An accessory building shall be located no closer than five feet to the principal building and no closer than the principal building to the street at its nearest point, except when the principal building is more than 60 feet from the street, the accessory building minimum setback shall be 60 feet.
- (3) *Side yard.* There shall be a minimum side yard of five feet, except on the street side of a corner lot the minimum side yard shall be the same as required for the principal building.
- (4) *Rear yard.* There shall be a minimum rear yard of six feet, except that, when the rear yard abuts a street, the minimum rear yard shall be the same as required for the principal building.
- (5) *Total area.* Accessory buildings shall not occupy more than one-third of the required area for the rear yard.
- (6) *Floor area.* The total floor area of all accessory buildings shall not exceed 1,000 square feet for single-family dwellings or 1,200 square feet for two-family dwellings or three percent of the land area, whichever is greater, to a maximum of 2,000 square feet. If upper floors are constructed within the accessory building, the floor area of the upper floors shall be included in the calculation of square footage of floor area.
- (7) *Number permitted.* There shall be a maximum of two accessory buildings permitted on the same lot.

(Ord. No. 961-1195, § 3, 11-7-95; Ord. No. 1019-799, § 1, 7-20-99; Ord. No. 1026-1099, § 1, 10-19-99; Ord. No. 1043-0600, § 1, 6-20-00; Ord. No. 1087-0203, §§ 2, 3, 2-18-03; Ord. No. 1146-0505, § 1, 5-17-05)

**20.292 Accessory building height and area regulations—Multiple-family residential uses.**

Accessory building regulations for multiple family dwellings shall be as follows:

- (1) *Height.* The height of an accessory building shall not exceed 18 feet, with a maximum side wall height of ten feet and one story maximum. The height may exceed 18 feet, provided the roof pitch matches the roof pitch of the principal building, and the height does not exceed the height of the principal building.
- (2) *Street yard.* There shall be a minimum setback from the street right-of-way of 25 feet.
- (3) *Side yard.* There shall be a minimum side yard of ten feet, except on the street side of a corner lot, the minimum side yard shall be the same as required for the principal building.

ORDINANCE NO. \_\_\_\_\_

THE COMMON COUNCIL OF THE CITY OF STURGEON BAY, WISCONSIN DO ORDAIN AS FOLLOWS:

SECTION 1: Section 20.29(2) of the Municipal Code (Zoning Code) of the City of Sturgeon Bay, Wisconsin is hereby repealed and recreated as follows:

(2) *Street Yard.* There shall be a minimum setback from the street right-of-way line of 25 feet. In addition, except on waterfront lots abutting the waters of Sturgeon Bay, an accessory building shall be located ~~no closer than five feet to the principal building and~~ no closer than the principal building to the street at its nearest point, except when the principal building is more than 60 feet from the street, the accessory building minimum setback shall be 60 feet.

SECTION 2: Section 20.29(8) is hereby created as follows:

(8) *Separation.* An accessory building shall be located no closer than five feet to the principal building.

SECTION 3: This ordinance shall take effect on the day after its publication.

Approved:

\_\_\_\_\_  
Thad Birmingham  
Mayor

Attest:

\_\_\_\_\_  
Stephanie L. Reinhardt  
City Clerk

EXECUTIVE SUMMARY

**DATE:** August 29, 2013

**TITLE:** TIF 4 razing contracts for Co-op Property

**BACKGROUND:** Ayres and Associates put together plans and specifications for the razing of 4 structures on the former Co-op property purchased by the City. 7 Bids were received and the 3 lowest are attached with your packets. The low bid was received from Ostrenga Excavating Company for a base bid of \$108,257. The TID 4 estimate was \$120,000.

Their bid included removing all of the excess concrete material from the site but did not include any crushing on the property or leaving the material for use by the city. Because the City has accumulated a significant stock pile of crushed concrete material, staff does not believe that it is worth the added cost to keep it.

Their second alternate was for the weather proofing of the Granary Building by sealing all doors and windows and tarping the roof. The \$19,000 bid also included emptying and removing all of the grain that remains in the building. Staff recommends that discussion of this option wait until the investigation of the building foundation is completed and salvaging the building is recommended.

The razing of these 4 buildings will be substantially complete by the end of November.

**FISCAL IMPACT:** The City received a Community Development Block Grant that includes \$41,140 or 38% of the razing cost. Therefore \$67,140 is the estimated TID #4 expense for this project.

**RECOMMENDATION:** Approve a contract with Ostrenga Excavating Company for the base bid of \$108,257.

**SUBMITTED BY:** Anthony Depies  
Anthony Depies, City Engineer

**REVIEWED BY:** Steve McNeil  
Steve McNeil, City Administrator

**REVIEWED BY:** Marty Olejniczak  
Marty Olejniczak, Community Development Director

**BID FORM**

**PROJECT:** West Waterfront Redevelopment  
Sturgeon Bay, Wisconsin

**BID DEADLINE:** August 20, 2013  
2:00 p.m., Local Time

To: City of Sturgeon Bay

We Ostrenna Excavating Inc. (Name of Bidder)  
acknowledge that we have received the Contract Documents, prepared by Ayres Associates and dated July 2013, that are listed in the Project Manual Table of Contents and Drawing Index. We hereby agree to provide all labor, materials, equipment, and services required to complete the work in strict accordance with the Contract Documents for the following stated amount(s).

**BID SCHEDULE**

Base Bid

<u>Item No.</u>	<u>Description</u>	<u>Unit</u>	<u>Approx. Quantity</u>	<u>Unit Price</u>	<u>Total Price</u>
1	Mobilization	L.S.	1	<u>2000<sup>00</sup></u>	<u>2000<sup>00</sup></u>
2	Site Preparation	L.S.	1	<u>3000<sup>00</sup></u>	<u>3000<sup>00</sup></u>
3	Asbestos Abatement	L.S.	1	<u>8750<sup>00</sup></u>	<u>8750<sup>00</sup></u>
4	Demolition	L.S.	1	<u>74,840<sup>00</sup></u>	<u>74,840<sup>00</sup></u>
5	Contaminated Soils Disposal	Ton	100	<u>62<sup>00</sup></u>	<u>6200<sup>00</sup></u>
6	Site Restoration	L.S.	1	<u>13,467<sup>00</sup></u>	<u>13,467<sup>00</sup></u>

Total Base Bid Amount, Items 1 thru 6, shall be One Hundred and Eight Thousand Two Hundred Fifty Seven Dollars (\$ 108,257<sup>00</sup>)

Alternate Bid No. 1. For mandatory crushing of all suitable on-site concrete for use as either site fill or stockpiling at Owner's storage site as specified in Section 02 41 00, add to the Base Bid the amount of:  
N/A  
Dollars (\$ N/A)

Alternate Bid No. 2. For preserving the granary building as specified in Section 02 01 15, add to the Base Bid the amount of:  
Nineteen Thousand and Eighty Dollars  
Dollars (\$ 19,080<sup>00</sup>)

*Net*

Supplemental Unit Prices

Supplemental unit prices to be used for authorized additions to the work.

<u>Item No.</u>	<u>Description</u>	<u>Unit</u>	<u>Unit Price</u>
S-1	Imported Fill	C.Y.	<u>20.93</u>
S-2	Imported Topsoil	C.Y.	<u>18.50</u>

**BID SECURITY**

Accompanying this bid is a (bond) (certified check) (cashier's check) in the amount of 5% dollars (\$) payable to Owner, which is at least five percent (5%) of the maximum bid amount, and will be retained by Owner as liquidated damages if the undersigned fails to execute agreements and furnish bonds (if specified) within 10 days after Notice of Award.

**WITHDRAWAL OF BID.**

It is agreed that this bid and any required bid security may not be withdrawn for a period of 45 days after the Bid Deadline.

**TIME OF COMPLETION**

The undersigned agrees, if awarded the contract, to start work within 10 calendar days after "Notice to Proceed" and to substantially complete the work on or before January 31, 2014 and to have the work completed and ready for final payment on or before February 28, 2014.

Failure to substantially complete the work within the stated time will result in liquidated damages of \$500.00 per calendar day thereafter until substantial completion.

**BIDDER'S WARRANTY**

By the act of submitting a bid for the proposed work, the bidder warrants that:

1. Bidder and its subcontractors have carefully and thoroughly reviewed the Contract Documents and have found them complete, free of ambiguities, and sufficient for the purpose intended; further that,
2. Bidder and all workers, employees, and subcontractors are skilled and experienced in the type of work represented by the Contract Documents; further that,
3. Bid is based solely upon the Contract Documents and properly issued written addenda and not upon any other representation; further that,
4. Bidder has carefully examined the site of the work and from its investigations is satisfied as to the nature and location of work, the character, quality, quantities of materials, and difficulties to be encountered, the kind and extent of equipment and other facilities needed for performance of the work, the general and local conditions, and other items which may, in any way, affect the work or its performance; and further that,
5. Neither the bidder nor its employees, agents, prospective suppliers, or subcontractors have relied upon any verbal representations allegedly authorized or unauthorized from the Owner, its employees or agents, including architects, engineers, and consultants, in assembling the bid.

**ADDENDA**

The undersigned acknowledges receipt of addenda \_\_\_\_\_ to \_\_\_\_\_ inclusive.

**ORGANIZATION AND AUTHORITY**

The undersigned hereby certifies that the bidder is organized as indicated below and that all statements herein are made on behalf of such bidder.

Business Name Ostrenga Excavating, Inc.  
 Business Address 3361 Lily Lake Road  
Green Bay, WI 54311  
 Telephone Number 920-863-8389  
 Fax Number 920-863-2119  
 E-Mail Address Ostrengaex@gmail.com  
 State Contractor Registration/License No. (if applicable) 240702

(Complete applicable paragraph 1, 2, 3, or 4.)

- Corporation. Bidder is a corporation organized under the laws of the state of Wis. Its corporate president is Roger Ostrenga and its corporate secretary is Rebecca Ostrenga-Ruffell. The VP is authorized to submit bids and sign construction contracts for the bidder by action of the board of directors.
- Limited Liability Corporation. Bidder is a limited liability corporation organized under the laws of the state of \_\_\_\_\_. Its members are \_\_\_\_\_. The \_\_\_\_\_ is authorized to submit bids and sign construction contracts for the bidder.
- Partnership. Bidder is a partnership consisting of partners \_\_\_\_\_ and \_\_\_\_\_.
- Sole Trader. Bidder is an individual doing business as \_\_\_\_\_.

**SWORN STATEMENT**

I, being duly sworn, hereby certify that I have examined and carefully prepared this bid from the Contract Documents and have checked the same in detail before submitting this bid; that I have full authority to make such statements and submit this bid on behalf of the above bidder; and that said statements are true and correct.

Signature Melissa Kennin  
 Name and Title Melissa Kennin VP

(Seal, if bid is by a corporation)

Subscribed and sworn to before me this 19th  
 day of August, 20 13.  
Rebecca Ostrenga-Ruffell Notary Public  
Brown County, WI  
 My Commission expires 02/14

	Bidder	Base bid	Alternate 1	Alternate 2
Low Bid	<b>Ostrenga Excavating Co.</b> <b>3361 Lily Lake Rd</b> <b>Green Bay, WI 54311</b>	<b>\$ 108,257.00</b>	<b>\$ -</b>	<b>\$ 19,080.00</b>
2nd	DeNovo Constructors, Inc 1884 E. Fabyan Parkway Batavia, IL 60510	\$ 124,500.00	\$ 12,000.00	\$ 11,000.00
3rd	Legacy Construction Services of Wisconsin PO Box 9486 Green Bay, WI 54308	\$ 132,400.00	\$ 15,000.00	\$ 9,500.00
	Peters Concrete, Inc 1516 Atkinson Dr Green Bay, WI 54303-3748	\$ 154,850.00	\$ 1.00	\$ 13,850.00
	Guelig Waste Removal & Demolition 4456 State Rd 45 Eden, WI 53019	\$ 193,360.00	\$ 21,000.00	\$ 14,680.00
	Veit Specialty Construction & Waste Management 14000 Veit Place Minneapolis, MN 55374-9583	\$ 233,994.00	\$ 21,000.00	\$ 7,700.00
	Express Excavating, Inc 5431 Church Rd New Franken, WI 54229	\$ 276,100.00	\$ -	\$ 2,500.00

Items

	Ostrenga	DeNovo	Legacy Construction
1 Mobilization	\$ 2,000	\$ 4,000	\$ 18,500
2 Site Prep	\$ 3,000	\$ 6,000	\$ 12,800
3 Asbestos Abatment	\$ 8,750	\$ 10,000	\$ 19,500
4 Demolition	\$ 74,840	\$ 85,000	\$ 80,000
5 Contaminated soils	\$ 6,200	\$ 4,500	\$ 100
6 Restoration	\$ 13,467	\$ 15,000	\$ 1,500
Base Bid	\$ 108,257	\$ 124,500	\$ 132,400
Crushing concrete	\$ -	\$ 12,000	\$ 15,000
Preserving Granary	\$ 19,080	\$ 11,000	\$ 9,500

Check for Bid Bond