

COMMON COUNCIL  
December 17, 2013

A regular meeting of the Common Council was called to order at 6:48 p.m. by Mayor Birmingham. The Pledge of Allegiance was recited. Roll call: Wiegand, Vandertie, Wiesner, Stutting, Fett and Schlicht were present. Ireland was excused.

Wiegand/Fett to adopt agenda. Carried.

Stutting/Schlicht to approve following bills: General Fund - \$149,600.83, Capital Fund - \$322.20, Cable TV - \$133.27, TID #3 - \$22,300.00, TID #4 - \$118,399.66, and Solid Waste Enterprise Fund - \$982.94 for a grand total of \$291,738.90. Roll call: All voted aye. Carried.

Fett/Schlicht to approve consent agenda:

- a. Approval of 12/3/13 regular Common Council minutes.
- b. Approval of following minutes:
  - (1) Waterfront Design Review Board – 11/18/13
  - (2) Industrial Park Development Review Team – 11/20/13
  - (3) Personnel Committee – 11/25/13
  - (4) Zoning Board of Appeals – 11/25/13
  - (5) Finance/Purchasing & Building Committee – 11/26/13
  - (6) Personnel Committee – 12/10/13
  - (7) Revolving Loan Review Committee – 12/11/13
- c. Place on file the following reports:
  - (1) Inspection Report – November 2013
  - (2) Police Department Report – November 2013
  - (3) Bank Reconciliation – November 2013
  - (4) Revenue & Expense Report – November 2013
- d. Consideration of: Approval of Beverage Operator licenses.
- e. Personnel Committee recommendation re: Adopt City of Sturgeon Bay Personnel Policies & Employee Handbook.

Carried.

There were no mayoral appointments.

Wiegand/Schlicht to approve the preliminary resolution declaring intent to levy special assessments under Municipal Police Powers Pursuant to Section 66.0703, Wis. Stats. – Sewer & Watermain installation/extension to service the Maritime Plaza Development. Carried.

RECOMMENDATION

We, the Sturgeon Bay Revolving Loan Fund Committee, hereby recommend that a loan of \$200,000 be approved for Ken Glasheen and Steve Sauter DBA The Ladder House to be used for the purchase of 38 South Third Ave., Sturgeon Bay, WI and that the loan be approved subject to the following conditions:

- A. Interest Rate: 3.0%
- B. Term of Loan: 5 Years with a 15 -Year Amortization Period.
- C. Monthly payments of interest only for three months followed by principal and interest payments to the City of Sturgeon Bay until the loan is paid in full.
- D. The collateral for the loan will be a second mortgage on the property located at 38 South Third Avenue behind a loan from a commercial bank not to exceed \$250,000.00.

- E. The applicant will enter into a General Business Security Agreement, subordinate to the 1<sup>st</sup> mortgage holder. The applicant will also enter into an assignment of rents and leases.
- F. Kenneth Glasheen and Steve Sauter shall sign unlimited personal guarantees with spousal consents.
- G. The borrower shall secure other private financing not to exceed \$250,000.00 and contribute equity in the amount of \$50,000.
- H. The borrower shall obtain and keep insurance on all equipment and the real estate, with the City of Sturgeon Bay listed as loss payee.
- I. The applicant will create 16 FTE (full-time equivalency) jobs within three years of loan closing of which at least 51% shall be held or made available to persons of low to moderate income.
- J. The applicant shall provide the City's Loan Administrator with annual business income tax returns and financial statements by April 15<sup>th</sup> of each year.
- K. The applicant will pay all out-of-pocket loan-processing costs at closing including attorney fees for loan documentation.
- L. The applicant shall submit a complete application package, to the satisfaction of William Chaudoir, Executive Director, DCEDC.
- M. The loan recipient's business location must remain in the City of Sturgeon Bay or the loan immediately becomes due and payable.
- N. This commitment is valid for a 60-day period at which time the loan shall be closed or this commitment is null and void.

We further recommend that the City Attorney be authorized to prepare the loan agreement, promissory note, security instrument and other necessary legal documents and that the Mayor and City Clerk be authorized to sign the necessary documents to implement this action.

#### STURGEON BAY REVOLVING LOAN FUND COMMITTEE

By: Mike Gilson, Chr.

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.

A public hearing re: Vacating & Discontinuance of Certain Streets was opened at 7:02 pm and declared closed at 7:10 p.m. John Kolodziej, 842 Louisiana Street (representing the Door County YMCA Board) and Mark Holey, 410 North 19<sup>th</sup> spoke during the public hearing.

Wiegand/Stutting to adopt the Alternate Resolution which does not vacate a portion of Iowa Street and vacates a portion of 19<sup>th</sup> Drive and Iowa Street. Community Development Director Olejniczak summarized the resolution. Discussion took place regarding the desire of the YMCA and the desire of the neighbors. Vandertie/Schlicht to refer this matter back to the City Plan Commission. After further discussion, Vandertie and Schlicht withdrew their motion. Vote taken on the original motion. Carried.

No one spoke during public comment.

The Mayor made his comments.

After the Mayor announced the statutory basis, Schlicht/Fett to convene in closed session in accordance with the following exemption: Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified business, whenever competitive or bargaining reasons require a closed session – Wis. Stats. 19.85(1)(e) – Consideration of: Collective bargaining agreements. Roll call: All voted aye. Carried. The meeting moved to closed session at 7:27 p.m. and reconvened in open session at 7:46 p.m.

Wiegand/Schlicht to approve the three bargaining agreements between the City of Sturgeon Bay and: LOCAL 1658, STURGEON BAY CITY EMPLOYEES, AFSCME, AFL-CIO; STURGEON BAY FIREFIGHTERS ASSOCIATION, LOCAL 2682 IAFF-CIO-CLC; and STURGEON BAY PROFESSIONAL POLICE OFFICERS' UNION WISCONSIN PROFESSIONAL POLICE ASSOCIATION/LEER DIVISION LOCAL 449. Carried.

Wiegand/Schlicht to adjourn. Carried. The meeting adjourned at 7:47 p.m.

Respectfully submitted,

Stephanie L. Reinhardt  
City Clerk/Human Resources Director