

**AGENDA**  
**CITY OF STURGEON BAY**  
**WATERFRONT REDEVELOPMENT AUTHORITY**

Thursday, May 29, 2014  
2:00 p.m.  
Community Room, City Hall  
421 Michigan Street

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from May 2, 2014.
4. Convene in closed session in accordance with the following exemption:

Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. 19.85(1)(e).

Consideration of: Development proposal for West Side redevelopment project.

Move to reconvene in open session to take formal action upon preceding subject of closed session, if appropriate; or to conduct discussion or give further consideration where the subject is not appropriate for closed session consideration. The Authority may adjourn in closed session.

5. Consideration of: Philanthropic brochure of the waterfront redevelopment.
6. Consideration of: Agreement for professional services from Ayres Associates for environmental testing.
7. Consideration of: Update regarding West Waterfront Redevelopment activities.
8. Consideration of: Recommendation from Finance/Purchasing & Building Committee to market for sale the vacant lot at the corner of Pine Street and Madison Avenue, parcel #281-46-65021803.

Thomas Herlache, Chair  
William Galligan  
Rick Wiesner  
Joe Stutting  
Ross Schmeizer  
Cap Wulf  
John Asher

2:00 p.m.  
5/23/14  
CN

## **WATERFRONT REDEVELOPMENT AUTHORITY**

Friday, May 2, 2014

A meeting of the Waterfront Redevelopment Authority was called to order at 9:30 a.m. by Chairperson Tom Herlache in Community Room, City Hall, 421 Michigan Street.

**Roll call:** Members Joe Stutting, Thomas Wulf, William Galligan, Ross Schmelzer, John Asher, and Tom Herlache were present. Mr. Wiesner entered the meeting at 9:35 a.m. Also present were City Administrator Steve McNeil, Mayor Thad Birmingham, DCEDC Executive Director Bill Chaudoir, Alderman Ron Vanderite, Community Development Director Marty Olejniczak, and Community Development Secretary Cheryl Nault.

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

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from April 21, 2014.
4. Consideration of: Update regarding West Waterfront Redevelopment activities.
5. Convene in closed session in accordance with the following exemption:  
Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. 19.85(1)(e).  
Consideration of: Development proposal for West Side redevelopment project.  
Move to reconvene in open session to take formal action upon preceding subject of closed session, if appropriate; or to conduct discussion or give further consideration where the subject is not appropriate for closed session consideration. The Authority may adjourn in closed session.
6. Adjourn.

Carried.

**Approval of minutes from April 21, 2014:** Moved by Mr. Wulf, seconded by Mr. Schmelzer to approve the minutes from April 21, 2013. All ayes. Carried.

**Consideration of: Update regarding West Waterfront Redevelopment activities:** Mr. Olejniczak stated that the Knowles-Nelson Stewardship Grant application has been submitted. The amount of \$550,000.00 has been requested. Letters of support were also submitted from the County, Bayshore Outfitters, Frank Lasee, Gary Bies, Door County Economic Development Corporation, Door County Visitors Bureau, and the Sturgeon Bay Visitors Center.

Eric Mundy, the gentleman proposing to purchase Applebees, is working with Sonny's Pizza on occupying the restaurant. Bay Shore Outfitters is interested in Sonny's current building for expanding their business.

No action was needed.

**Consideration of: Convene in closed session in accordance with the following exemption:**

**Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. 19.85(1)(e).**

**Consideration of: Development proposal for West Side redevelopment project.**

**Move to reconvene in open session to take formal action upon preceding subject of closed session, if appropriate; or to conduct discussion or give further consideration where the subject is not appropriate for closed session consideration. The Authority may adjourn in closed session.**

After Chairperson Herlache announced the statutory basis, it was moved by Mr. Wulf, seconded by Mr. Schmelzer to convene in closed session. All ayes. Carried. The meeting moved to closed session at 9:35 a.m.

Moved by Mr. Galligan, seconded by Mr. Wiesner to adjourn. Carried. The meeting adjourned in closed session at 11:15 a.m.

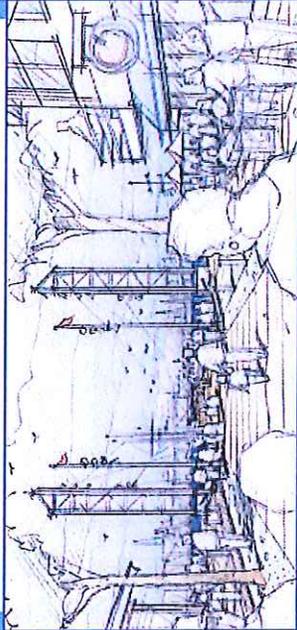
Respectfully Submitted,



Cheryl Nault  
Community Development Secretary

## BY CREATING AN ACTIVE, PUBLIC, AND ACCESSIBLE WATERFRONT SPACE,

the Festival Waterfront will serve as lively hub around which new businesses can flourish.



**A NEW, YEAR-ROUND DESTINATION.** Envisioned as a local landmark providing a waterfront setting for year-round daily use, the Festival Waterfront's promenade and public space will support many waterfront-related activities such as music events, community fairs and celebrations, field trips, recreation, casual dining, and more. It can also become the setting for new water-oriented businesses and events, including:

- Steel Bridge Music Festival
- Concert series
- Bike, paddle boards, canoe and kayak rentals
- West Fest
- Fine Art shows
- Farmers Market
- Food and wine festivals
- Maritime Museum hosted events, displays, and gatherings
- Tall Ship tours
- Boat shows
- Bay Local events

**THE FESTIVAL WATERFRONT WILL HELP DRIVE ECONOMIC DEVELOPMENT** in the City while increasing the visibility and value of local brand profiles throughout the state, region and beyond.

## PROJECT MOMENTUM

**SINCE 2011, THE CITY HAS ADVANCED THE WEST WATERFRONT** project by creating a new tax increment finance district and recruiting private sector developers. The project has also secured a number of important grants including:

- Two grants through the Wisconsin Coastal Management Program for design and waterfront infrastructure.
- Three grants from the Community Development Block Grant program for Planning, Implementation, and Public Facilities.
- A DNR Site Assessment Grant for redevelopment assessment, and
- A Request for DNR Knowles-Nelson Stewardship Grant funding for parkland development to begin Festival Waterfront park infrastructure development has been submitted.

## YOUR SUPPORT

**A CONTRIBUTION TO BENEFIT GENERATIONS.** By matching these grants, the City has leveraged these funds to tremendous effect. Yet the project's ultimate future success hinges on the City's ability to attract matching funds from local philanthropists like you who see the intrinsic social and economic benefits of a world-class public space.

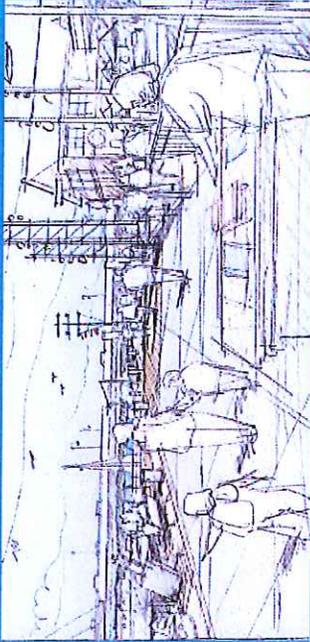


**FOR MORE INFORMATION,** and to discuss your role in this once-in-a-lifetime chance to create a unique public waterfront destination in Sturgeon Bay, please contact:

Joleen Presti, Project Manager  
Vandewalle & Associates  
jpresti@vandewalle.com  
111.727.3330

Mary Olejniczak, Community Development Director  
City of Sturgeon Bay  
MOlejniczak@sturgeonbaywi.org  
920.746.6908

**LEARN MORE ONLINE** at:  
<http://www.vandewalle.com/selected-projects-sturgeon-bay-west-waterfront-development-and-implementation>



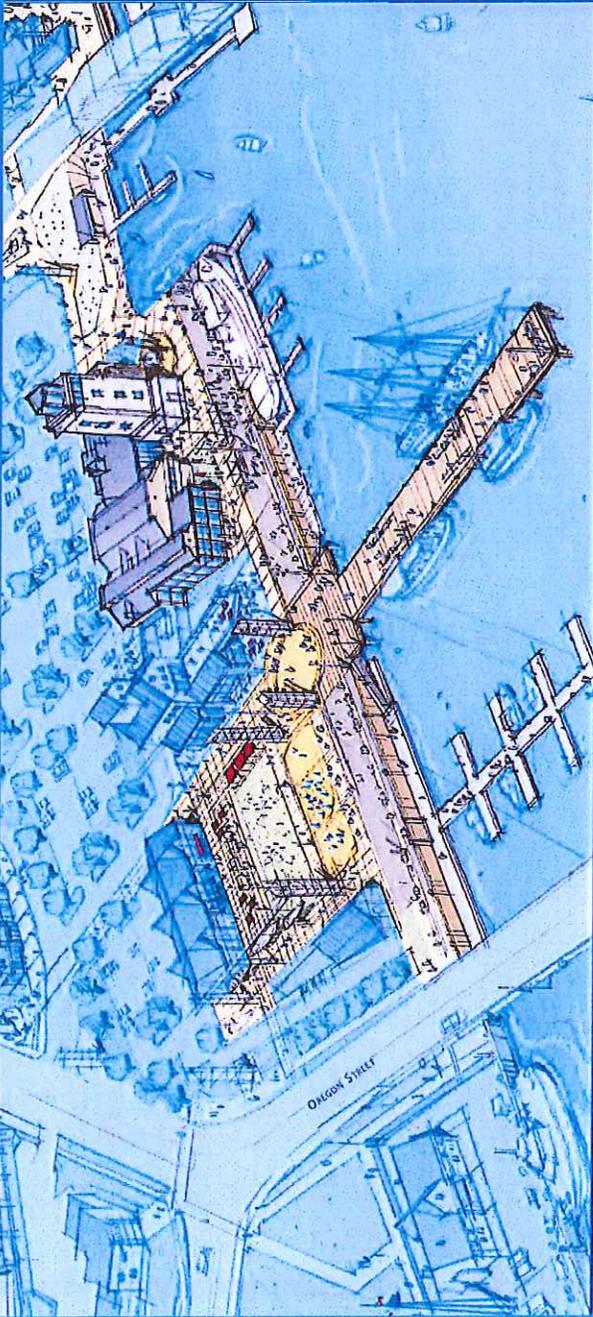
## STURGEON BAY'S FESTIVAL WATERFRONT

Help create this new public waterfront on Sturgeon Bay's lively Western shore

**PICTURE A NEARLY 2-ACRE PUBLIC WATERFRONT** where you can walk, dine, or take in sights and sounds in Door County's historic gateway city. Here, residents and visitors can gather for festivals, concerts, boating and fishing, while experiencing the dynamic maritime community at the water's edge. The new Festival Waterfront on Sturgeon Bay is destined to become a landmark destination that will

attract and expand tourism into Sturgeon Bay all year around.





## PLANS FOR THE PROJECT AND SURROUNDING AREA

**THE FESTIVAL WATERFRONT** is a part of the former Door County Cooperative site, and is now owned by the City. Led by the Mayor and the Waterfront Redevelopment Authority, Sturgeon Bay's West Waterfront redevelopment has made significant progress over the past two years, including site acquisition, demolition, site preparation, and partial funding. The City is currently seeking matching funds for individual components (*see list at right*).

**SURROUNDING USES.** Within a newly created TIF District, the area will ultimately feature a number of complementary uses to create a compelling visitor experience, including:

- **FESTIVAL MARKET** retail destination to showcase Door County fish, cherries and other value added "made in Door County" products.
- **WATERFRONT BREWERY AND RESTAURANT** incorporating the historic granary in its design, with beer brewed on site and locally sourced food, and complemented by a retail shop with locally-produced wine and spirits.
- **MODERN RENTAL AND OWNER-OCCUPIED HOUSING** planned for year-round residents, with target market of young professionals and empty nesters looking to locate in the heart of the community.
- **BOUQUET LODGING** destination with 30-40 rooms, featuring Bay views and waterfront access.



PROMENADE & PUBLIC SPACE



LOCAL FOOD PUBLIC MARKET



DOCKS & MARITIME ACTIVITY



BREW PUB & LODGING



## FESTIVAL WATERFRONT

You can help fund these Public Space components of the new Festival Waterfront:

- **WATERFRONT PROMENADE AND PUBLIC SPACE** of nearly 2 acres, which includes these fundable individual elements:
  - 80-foot wide waterfront walkway ideal for art shows, concerts, festivals, and other cultural events
  - Splash pad convertible to an ice skating rink in the winter
  - Performance stage with sound and lighting system
  - Art installations
  - Benches, light and banner posts
  - Lush lawn and rain gardens
  - Ample parking
- **COMMERCIAL PIER**, a "working waterfront" public pier for tug boats, commercial fishing boats, and visiting tall ships.
- **TRANSIENT BOAT MOORAGE** to provide short-term docking for visitors of the Festival Waterfront, brewery and restaurant, Festival Market, and the Maritime Museum.
- Dock transient slips or mooring piers
- Lighting
- Fueling station
- **DOOR COUNTY MARITIME MUSEUM** is already located onsite. The Museum provides a natural extension of city's seafaring themes and identity and conducts events year-round to celebrate Sturgeon Bay's role in maritime commerce and recreation. Fundable enhancements to the existing Museum include:
  - Museum expansion
  - Outdoor exhibit installations

**EXECUTIVE SUMMARY**

**DATE:** May 23, 2014

**TITLE:** Proposal from Ayres Associates for NR 716 Site Investigation

**BACKGROUND:** The City received a site assessment grant from Wisconsin Economic Development Corporation for environmental investigations for the West Waterfront Redevelopment site. The total project cost was \$91,500 with the grant covering 50%, or \$45,750. The grant project involved environmental site work, including some costs toward the Voluntary Party Liability Exemption (VPLE) process.

Ayres Associates was selected to do the work. They completed the Environmental Site Assessment and submitted it to the Wisconsin DNR under the VPLE program. The program grants liability protection to existing and future property owners in exchange for a greater level of environmental investigation on brownfield sites. The DNR reviewed the results of soil and groundwater tests and, as expected, has required additional testing in order to qualify for the liability exemption. Ayres has prepared a Scope of Services and Agreement for Professional Services to perform the required work.

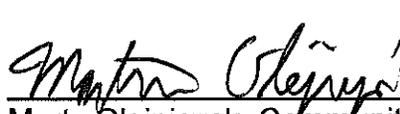
**FISCAL IMPACT:** The proposed budget for the environmental testing is \$37,500. So far, the City has spent approximately \$58,550 on this grant project. This leaves about \$32,950 left that can be 50% covered by the grant. Therefore, the grant will cover about \$16,475, with the City covering the other \$21,025. There is adequate funding in the budget for TID #4 to cover that amount.

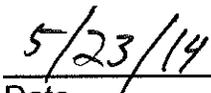
**RECOMMENDATION:** Approve the Agreement for Professional Services for Ayres Associates in the amount of \$37,500.

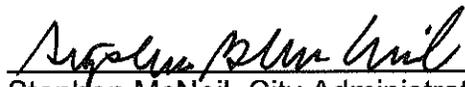
**REVIEWED BY:**

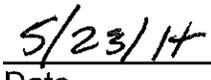
\_\_\_\_\_  
Anthony Depies, City Engineer

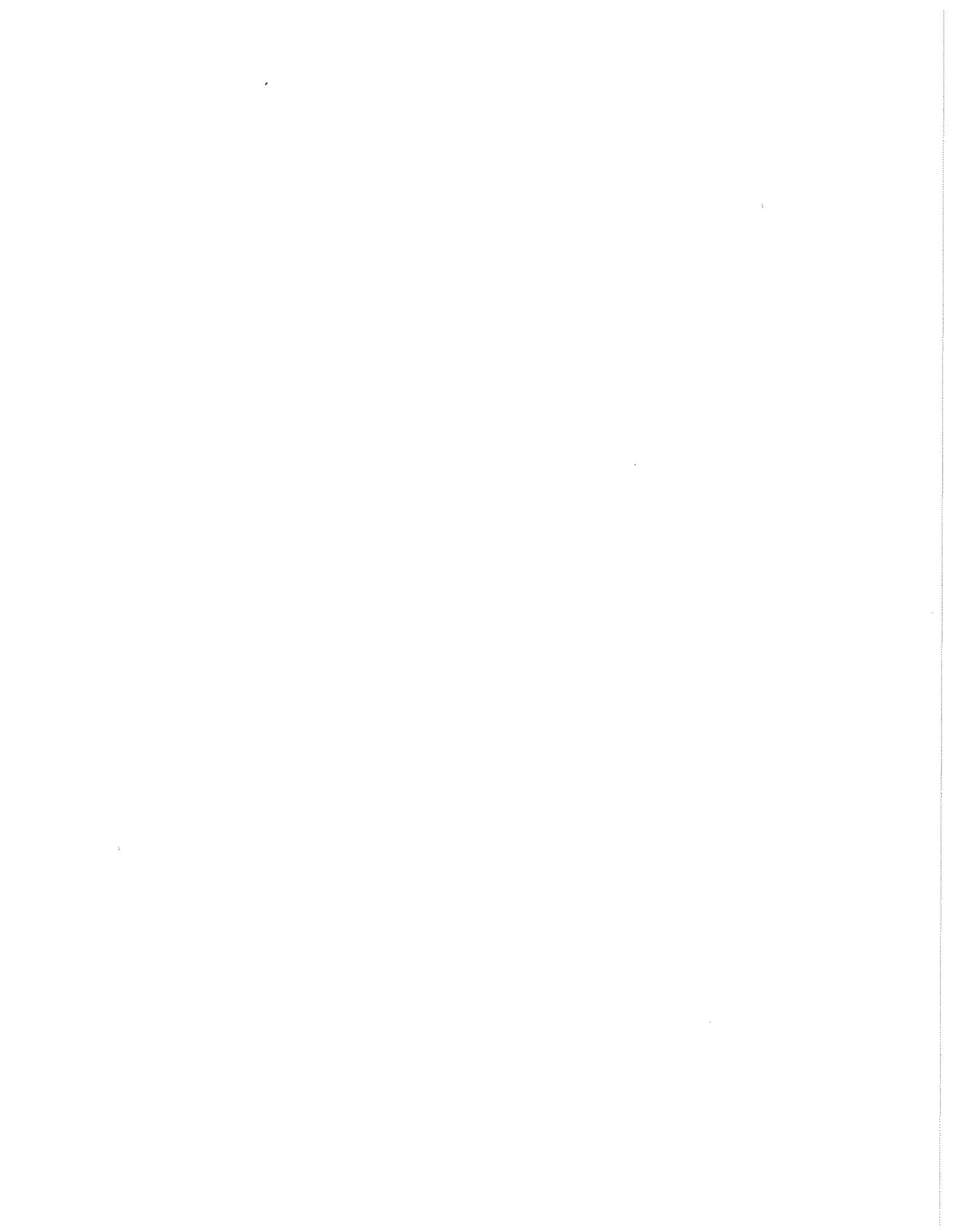
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Marty Olejniczak, Community Development Director

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Stephen McNeil, City Administrator

  
\_\_\_\_\_  
Date



## AGREEMENT FOR PROFESSIONAL SERVICES

THIS IS AN AGREEMENT made as of April 24, 2014, between the City of Sturgeon Bay, 421 Michigan Street, Sturgeon Bay, Wisconsin 54235 (OWNER), and Ayres Associates Inc, 5201 E. Terrace Drive, Madison, Wisconsin 53718 (CONSULTANT).

OWNER intends to retain CONSULTANT for professional services to perform site investigation and environmental consulting as described in Attachment A (hereinafter called the Project).

OWNER and CONSULTANT agree to performance of professional services by CONSULTANT and payment for those services by OWNER as set forth below.

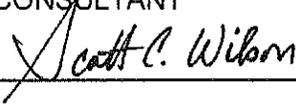
This Project includes services on a site with potential hazardous substances. Because of the inherent risk on the site, provisions contained in Attachment E are hereby incorporated into this Agreement between OWNER and CONSULTANT.

The following Attachments are attached to and made a part of this Agreement.

- Attachment A – Scope of Services, consisting of 5 pages.
- Attachment B – Period of Services, consisting of 1 page.
- Attachment C – Compensation and Payments, consisting of 3 pages.
- Attachment D – Terms and Conditions, consisting of 3 pages.
- Attachment E – Terms and Conditions for Services Involving Hazardous Substances, consisting of 3 pages.

This Agreement (consisting of 1 page), together with the Attachments identified above, constitute the entire agreement between OWNER and CONSULTANT and supersede all prior written or oral understandings. This Agreement and said Attachments may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement as of the day and year first written above.

<u>City of Sturgeon Bay</u> OWNER		<u>Ayres Associates Inc</u> CONSULTANT
_____	(Signature)	<u></u>
_____	(Typed Name)	<u>Scott C. Wilson, PSS</u>
_____	(Title)	<u>Vice President – WI Environmental Services</u>
_____	(Date)	<u>April 24, 2014</u>

## ATTACHMENT A – SCOPE OF SERVICES

This is an attachment to the Agreement dated April 24, 2014, between City of Sturgeon Bay (OWNER) and Ayres Associates Inc (CONSULTANT).

### ARTICLE 1 – BASIC SERVICES

CONSULTANT shall provide professional environmental services for OWNER as provided below:

#### NR 716 Environmental Site Assessment

The objective of this assessment is to complete an NR 716 investigation to determine the extent of soil and groundwater impacts identified in the previous Phase II ESA and evaluate appropriate remedial actions, if necessary.

#### Preparation of Management Plans

Ayres Associates will conduct this assessment in accordance with NR 700 Wisconsin Administrative Code. A work plan will be prepared and submitted prior to performing additional assessment per the Wisconsin Department of Natural Resources request. The work plan details the scope of work to be performed within the project and guides overall project direction and implementation and outlines the rationale and significant details of the project.

Our site-specific health and safety plan (HSP) will be updated for this phase of the project prior to performing field work. The purpose of the HSP is to assign responsibilities, establish personal protection standards and mandatory safety practices and procedures, and provide contingencies for situations that may arise during site operations. The provisions of the plan are mandatory for all employees who are engaged in hazardous material management and construction activities. The plan will be developed under U.S. Environmental Protection Agency guidelines and will comply with all applicable regulations, including Occupational Safety and Health Administration (OSHA) standards [29 Code of Federal Regulations (CFR) 1910 and 1926].

#### Soil Borings

Seven (7) soil probes will be advanced on the property to an estimated depth of 10 feet below land surface. Soil probes will be advanced in areas of concern, based upon previous findings and DNR recommendations. Six (6) soil borings will be advanced to a depth of approximately 15 feet for installation of water table wells. One (1) additional soil boring will be advanced to an estimated depth of 35 feet for installation of a piezometer. Soil samples will be continuously collected during drilling activities. Each sample collected will be characterized according to the Unified Soil Classification System (USCS) and screened for volatile organic vapors using a photoionization detector.

The monitoring wells will be installed to assess possible groundwater impacts and evaluate groundwater flow direction across the property. Wells will be spatially distributed across the site and installed in areas of the property suspected of having groundwater contamination, based upon field observations made during soil sampling activities. Proposed soil probes, soil borings, and well locations are illustrated on Figure 1 but may change based upon field decisions.

### Soil Screening

Soil samples from the probes and borings will be obtained for total volatile organic compound (VOC) soil vapor field analysis. These samples will be screened for the presence of total ionizable VOCs using a photoionization detector (PID) equipped with a 10.7 eV lamp and calibrated to an isobutylene standard. Samples will be selected for possible laboratory analysis based on visual and olfactory observations and PID screening results.

### **Groundwater Assessment**

#### Water Table Observation Well Installation

Water table observation wells will be installed in six (6) borings advanced below the water table. The water table wells will be installed at a depth of approximately 15 feet below ground surface, depending on the depth to groundwater. The purpose of the water table observations wells is to evaluate groundwater flow and potential contaminant transport at the water table. Water table observation wells will be constructed of 2-inch inside diameter (ID) schedule 40 PVC risers and screen. Water table observation wells will be constructed with a 10-foot length of 0.006-inch slot PVC screen. Monitoring wells will be installed in accordance with NR 141 Wisconsin Administrative Code.

Monitoring well casing and screen will be inserted in the boreholes after the target depth is reached. A sand filter pack (#45 – #55) will be installed around the well screen and will extend approximately 2-feet above the top of screen. A filter pack seal will be placed above the sand filter pack. The seal will consist of 2 feet of fine-grained sand placed above the gravel pack. Granular or chipped bentonite will be placed above the seal to a depth of approximately 4 inches below the ground surface. The remaining annular space will be filled with native soil. Protective steel casings with locking caps will be installed over each monitoring well. Water table well construction details will be documented on WDNR Monitoring Well Construction Form 4400-113A.

#### Piezometer

One piezometer will be installed at a depth of approximately 35 feet below ground surface and within the unconfined, unconsolidated aquifer. The purpose of the piezometer is to evaluate water quality and groundwater flow conditions at depth within the aquifer. The piezometer will be located adjacent to an existing water table observation wells to create a well nest. Data obtained from the well nest will be used evaluate vertical groundwater gradients and the extent of vertical migration of potential constituents of interest.

The piezometer will be constructed of 2-inch inside diameter (ID) schedule 40 PVC casing and screen. The piezometers will be constructed with a 5-foot length of 0.006-inch slot schedule 40 PVC screen. Monitoring well casing and screen will be inserted in the borehole after the target depth is reached. A #45-55 sand filter pack will be installed around the well screen and will extend approximately 2-feet above the top of screen. A filter pack seal will be placed above the filter pack. The seal will consist of 2-feet of fine-grained sand placed above the filter pack. Bentonite pellets or bentonite chips will be used for the bentonite seal above the fine-grained sand. Bentonite chips will be placed above the filter pack seal to a depth of approximately 4-inches below the ground surface. The remaining annular space will be filled with concrete. Protective steel casings with locking caps will be installed over each monitoring well. Piezometer construction details will be documented on WDNR Monitoring Well Construction Form 4400-113A

### Well Development

Monitoring wells will be developed after construction to remove fine-grained materials from within the well screen and filter pack. The wells will be developed in accordance with NR 141 Wis. Adm. Code. The wells will be developed by over pumping with a purge pump or peristaltic pump until purge water remains clear. Logs of all well development procedures will be maintained. Purge water will be drummed or permission will be obtained to discharge the water directly to the sanitary sewer. Well development procedures will be documented on WDNR Monitoring Well Development Form 4400-113B.

### Monitoring Well Survey

Monitoring wells will be surveyed to determine their elevations and horizontal locations. At each monitoring well, the elevations of the top of the well casing will be surveyed to the nearest 0.01-foot. Ground surface elevation will be surveyed to the nearest 0.1-foot.

### Hydraulic Conductivity Testing

In-situ hydraulic conductivity tests (slug tests) will be performed on each new and existing water table well and piezometer installed. Slug tests will be performed by rapidly lowering a solid PVC cylinder into the well to cause an instantaneous rise in water level (falling head test) within the well, and then measuring the return of the water level to static conditions. A second test will be performed by measuring the water level response when the cylinder (rising head test) is removed. Water level measurements will be collected with a data logger and pressure transducer. The hydraulic conductivity data will be analyzed using Aqtesolve Pro™ v. 4.5 and Waterloo Hydrologic Aquifer Test v.3 graphical analysis and reporting software. Hydraulic conductivity data will be evaluated using the methods of Bouwer and Rice (1976) for unconfined aquifers.

Falling head tests (slug in) will be performed to evaluate the relative response of the aquifer prior to performing a rising head test (slug out). This will be done to ensure the data logger is properly programmed, and the equipment is functioning properly. The results of the tests are also useful for comparing the relative values to ensure consistency in testing and analysis. However, falling head tests performed in water table observation wells will not be used to calculate the average hydraulic conductivity of the aquifer.

### Laboratory Analysis of Soil and Groundwater Samples

One soil sample collected from each boring will be submitted to a Wisconsin certified analytical laboratory for confirmation analysis. Each of the soil samples collected will be analyzed for volatile organic compounds (VOC) and polycyclic aromatic hydrocarbons (PAH). Samples will be selected for chemical analysis in a laboratory based on visual and olfactory observations, field screening results, and conditions of the subsurface geology. The physical/chemical properties of the analytes, and the depth and location of the sample relative to the area of potential release, will also be considered.

Upon receipt of the metals analysis, selected samples will be further analyzed for arsenic and chromium using the Toxicity Characteristic Leaching procedure (TCLP), if an individual metal concentration is greater than 100 mg/kg.

Groundwater samples will be collected from the five existing wells and six new wells installed during this assessment. The groundwater samples will be sent to the laboratory and analyzed for VOCs, PAHs, and dissolved metals (arsenic, cadmium, and lead). Samples will be analyzed on a standard turn-around time of approximately three weeks.

After the analytical data is received from the laboratory, Ayres Associates staff will review the data to ensure that chain-of-custody procedures were followed, hold times were met, analytical methods and detection limits are consistent with the specifications, and samples were properly preserved when received at the laboratory. The data will be reviewed for reporting errors (i.e., units) as well as consistency with anticipated results based on field observations. The laboratory has a written QA/QC program that provides rules and guidelines to ensure the reliability and validity of work conducted at the laboratory. Therefore, no additional data validation will be performed beyond that stated above.

### **Utility Assessment**

An assessment of the utility corridors on and adjacent to the site will be completed. This assessment will be limited to evaluation of readily available information regarding the location, depth, and construction materials and methods of these utility corridors. Methane and PID readings may be obtained from a select number of manholes, if readily accessible. (Note that no underground utility structures will be physically entered by Ayres Associates). The purpose of this evaluation is to determine the potential for volatile compounds or methane to migrate through the utility corridors.

### **Data Analysis and Reporting**

Data obtained through the additional environmental investigation will be analyzed and interpreted by Ayres Associates. The objectives of the analysis will be to determine the presence and significance of potential impacts to soil and groundwater related to known and potential releases at the site. A draft NR 716 report summarizing findings of the site investigation will be submitted to the City of Sturgeon Bay for review and comment. The report will include a description of the site conditions, the subsurface geology, and results and interpretation of the laboratory analytical data. A final report will be prepared following review of the draft report.

### **Project Management, Coordination, and WDNR Review Fees**

The major objectives of project management are to maintain control of the project budget and schedule, provide technical oversight, and optimize client-agency communication. The project manager will coordinate the efforts of project personnel for Ayres Associates and its subcontractors so the team functions as a unified organization. Ayres Associates' project manager will communicate with City staff at agreed-upon milestones in the project, when there has been input from the City staff. Two meetings with the project team to address strategies, redevelopment, and funding are assumed in costing this task.

## **ARTICLE 2 – ADDITIONAL SERVICES**

If authorized in writing by OWNER, CONSULTANT shall furnish or obtain from others Additional Services as provided below. These services are not included as part of Basic Services and will be paid for by OWNER as indicated in Attachment C.

Completion of a Development on an Historic Fill Site Exemption Application  
Additional site investigation  
Remedial Action Options Report  
Soil and groundwater remediation  
Vapor migration/intrusion analysis

Hydraulic analysis and dewatering plan  
Well abandonment  
Site closure documentation and GIS reporting

### **ARTICLE 3 – OWNER'S RESPONSIBILITIES**

OWNER shall do the following in a timely manner so as not to delay the services of CONSULTANT.

Designate a person to act as OWNER's representative.

Provide all criteria and full information as to OWNER's requirements.

Furnish to CONSULTANT all available pertinent information including, but not limited to, property, boundary, easement, right-of-way, and utility surveys, the location of buried tanks, piping, and related utilities, and previous reports, all of which CONSULTANT may use and rely upon in performing services under this Agreement.

Provide access to the site of the Project and provide any required easements for monitoring wells to be installed on or off the site.

**Table 1**

**Proposed Project Budget Detail  
West Waterfront - NR 716 Investigation  
Sturgeon Bay, WI**

Task	Estimated Cost
Project Management, Administration, Meetings, WDNR Review Fees	\$2,300.00
Sampling and Analysis Plan	\$3,000.00
<i>Field Investigation (Soil and Groundwater)</i>	
• Advance/Screen/Sample/Log Borings <sup>1</sup>	\$3,200.00
• Well Dev./Survey	\$1,500.00
• Groundwater Sampling	\$2,500.00
• Hydraulic Conductivity Testing	\$3,100.00
• Geoprobe™ Contractor	\$8,200.00
• Laboratory Analysis <sup>2,3</sup>	\$6,500.00
• Equipment and Direct Costs	\$1,200.00
Utility Assessment	\$1,100.00
Data Analysis & Reporting <sup>4</sup>	\$4,900.00
<b>Estimated Project Total<sup>5</sup>:</b>	<b>\$37,500.00</b>

Notes:

<sup>1</sup> Assumes a maximum of 7 probes to 10 feet below ground surface, 6 borings advanced to 15 feet below ground surface and 1 boring to 35 feet.

<sup>2</sup> Assumes a maximum of 14 soil samples will be analyzed for VOC and PAH. Ten groundwater samples will be analyzed for VOC, PAH, and dissolved RCRA metals (arsenic, cadmium, and lead). Assumes standard turn-around time of three weeks for analytical testing.

<sup>3</sup> The number of borings and or analytical samples may vary depending on observations and screening results obtained in the field. Ayres Associates will obtain permission from the City prior to modifying the scope of work.

<sup>4</sup> Includes preparing a draft and final report summarizing the sampling procedures, laboratory results, and interpretation of the data.

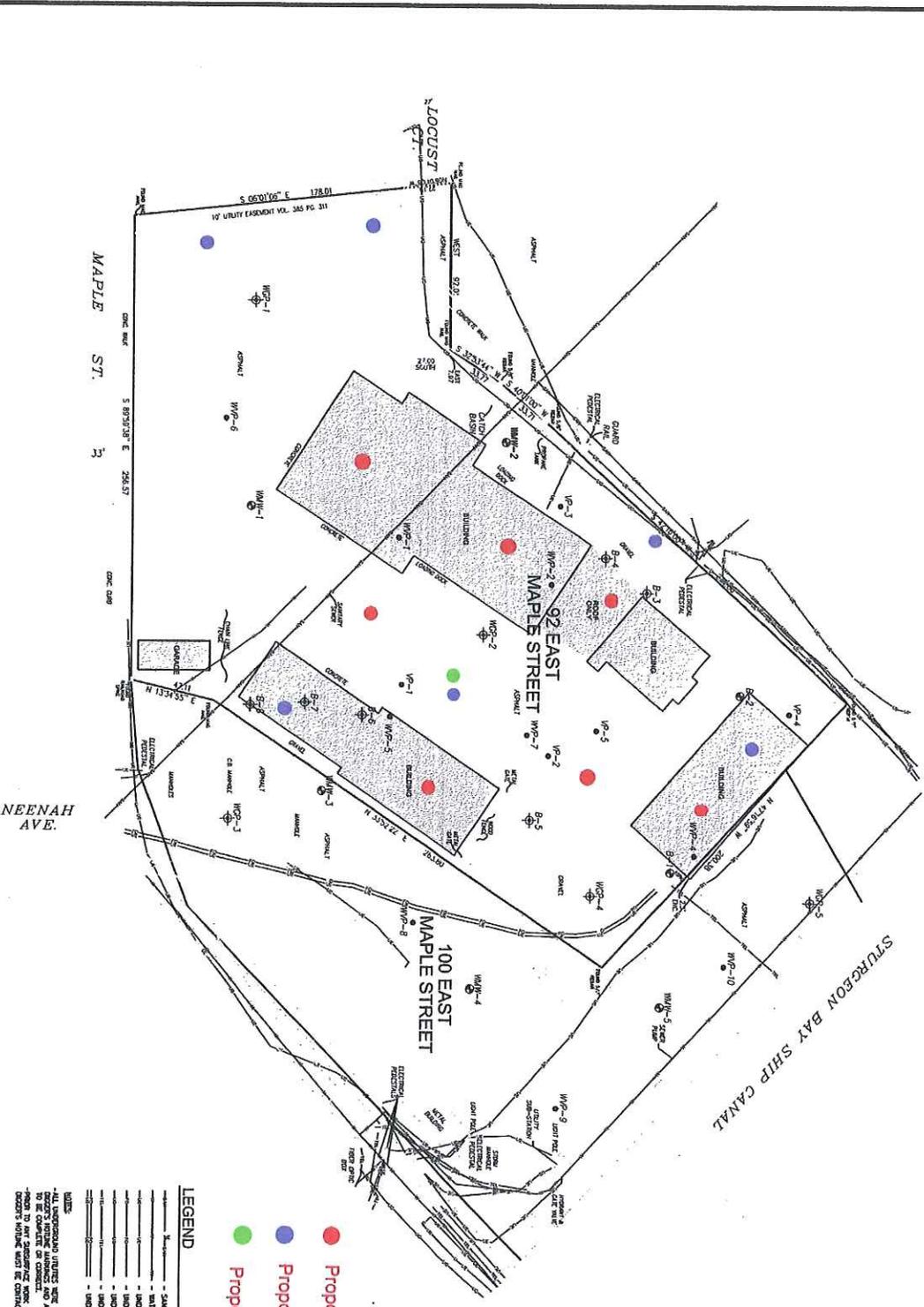
<sup>5</sup> Compensation is estimated to be \$37,500 based on the assumed distribution of compensation shown in Table 1. Consultant may alter the distribution of compensation between individual phases of the work noted herein to be consistent with services actually rendered, but shall not exceed the estimated project total unless approved by Owner.

DATE	DESCRIPTION	NO.	DATE	DESCRIPTION
10/15/2015	ISSUED FOR PERMIT	1		
10/15/2015	ISSUED FOR PERMIT	2		
10/15/2015	ISSUED FOR PERMIT	3		
10/15/2015	ISSUED FOR PERMIT	4		
10/15/2015	ISSUED FOR PERMIT	5		
10/15/2015	ISSUED FOR PERMIT	6		
10/15/2015	ISSUED FOR PERMIT	7		
10/15/2015	ISSUED FOR PERMIT	8		
10/15/2015	ISSUED FOR PERMIT	9		
10/15/2015	ISSUED FOR PERMIT	10		

WEST WATERFRONT REDEVELOPMENT PROJECT  
 CITY OF STURGEON BAY  
 STURGEON BAY, WISCONSIN



DATE	DESCRIPTION	NO.	DATE	DESCRIPTION
10/15/2015	ISSUED FOR PERMIT	1		
10/15/2015	ISSUED FOR PERMIT	2		
10/15/2015	ISSUED FOR PERMIT	3		
10/15/2015	ISSUED FOR PERMIT	4		
10/15/2015	ISSUED FOR PERMIT	5		
10/15/2015	ISSUED FOR PERMIT	6		
10/15/2015	ISSUED FOR PERMIT	7		
10/15/2015	ISSUED FOR PERMIT	8		
10/15/2015	ISSUED FOR PERMIT	9		
10/15/2015	ISSUED FOR PERMIT	10		



**LEGEND**

	Survey Station Line		Water Table Well
	Water Main		Gas
	Sewer		Electrical
	Gas		Electrical
	Water Main		Gas
	Sewer		Electrical
	Gas		Electrical
	Water Main		Gas
	Sewer		Electrical
	Gas		Electrical

**NOTES:**

- All underground utilities were located as per the utility records and are not guaranteed to be accurate.
- Utility records are not guaranteed to be accurate.
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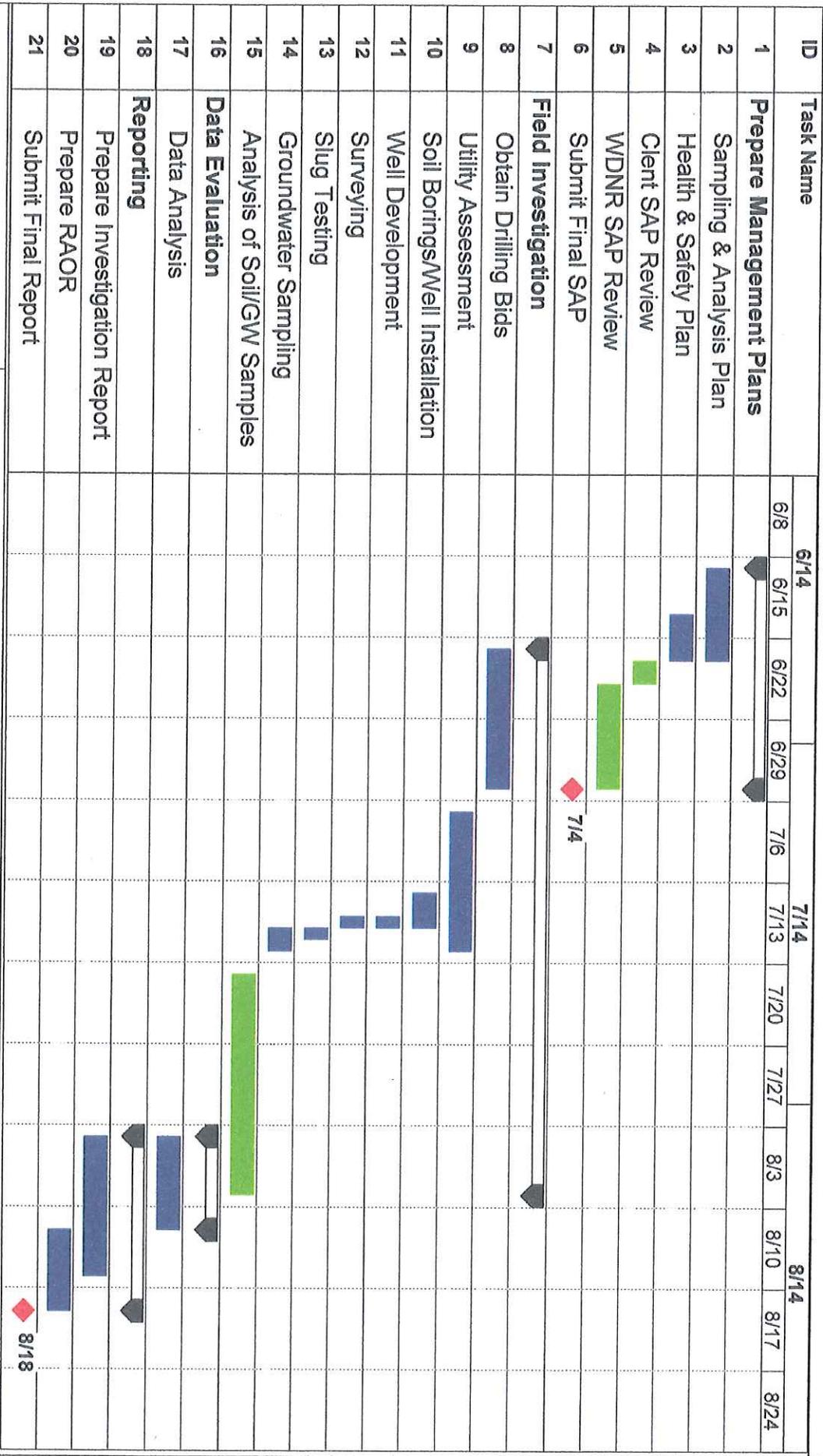
**SCALE IN FEET**

0 60 120 FT

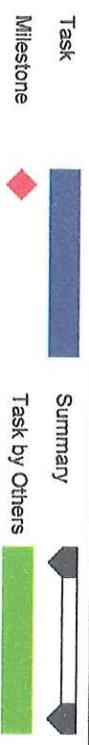
**SITE MAP**

3

**FIGURE 1**  
**NR 716 SITE INVESTIGATION**  
**92 E. MAPLE STREET**  
**STURGEON BAY, WISCONSIN**



Project: West Waterfront Redevelopment Project  
 Date: Thu 4/24/14



**FINANCE/PURCHASING & BUILDING COMMITTEE**  
**May 13, 2014**

A meeting of the Finance/Purchasing & Building Committee was called to order at 7:00 p.m. by Alderperson Stutting in the Council Chambers, City Hall. Roll call: Alderpersons Stutting, Wiegand and Schlicht were present. Also present: Alderperson Vandertie, City Administrator McNeil, Finance Director/City Treasurer Clarizio, Community Development Director Olejniczak, Jeff Mengelt, Rosalind Schultze and Receptionist Metzger.

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

1. Roll call.
2. Adoption of agenda.
3. Consideration of: Reconsider the Disallowance of Claim Resolution Approved by the Common Council Re: Rosalind Schulze Claim for Incident Dated February 18, 2014.
4. Consideration of: Exempt Properties.
5. Consideration of: Sale of City Owned Parcel on Madison Ave-Parcel #281-46-65021803.
6. Consideration of: Sale of City Owned Parcel on N. 14<sup>th</sup> Ave-Parcel #281-46-16080201.
7. Review of Unfinished Business.
8. Review bills.
9. Adjourn.

Carried.

Consideration of: Reconsider the Disallowance of Claim Resolution approved by the Common Council Re: Rosalind Schulze Claim for Incident Dated February 18, 2014.

Jeff Mengelt, 821 Superior Street, spoke in regard to appealing the Council's decision to deny the claim submitted by Rosalind Schulze; dated February 18, 2014. He explained that when the City plow the streets, large amounts of snow and ice are deposited in the alley entrance behind their home. The alley is not plowed until later in the day which causes Ms. Schulze to plow through the large amounts of snow at the alley entrance in order to get to work. He stated the heat shield on her Honda Accord has been damaged and repaired twice in the past two years as a result of driving through these snow mounds. He stated they have contacted the City several times over the course of two years regarding the alley plowing and the need to have the alley's cleared earlier.

City Administrator McNeil explained that Municipal Services Bordeau and Public Works Crew Supervisor Shefchik check road conditions during snow storms. He stated the City follows protocol by clearing the main roads and lifelines first, ex. hospitals with side street and alley ways secondary.

Moved by Alderperson Stutting, seconded by Alderperson Wiegand to uphold the Common Council disallowance of claim for Rosalind Schulze for the incident dated February 18, 2014.  
 Carried.

Consideration of: Exempt Properties.

Finance Director/Treasurer Clarizio stated that the City Assessor reviewed and verified the status of the tax exempt properties for the 2014 assessment roll. No further discussions were held.

Consideration of: Sale of City Owned Parcel on Madison Avenue Parcel-#281-46-65021803.

City Administrator McNeil stated that the property located on Madison Ave is owned by the Waterfront Redevelopment Authority. The City assessor indicated the potential market value of this property was \$50,000 in January 2009. He stated that back in 2008, the Waterfront RDA recommended the property be listed for sale with restrictions for appropriate use. Community Development Director Olejniczak stated the Waterfront RDA is not currently marketing the property.

Moved by Alderperson Schlicht, seconded by Alderperson Wiegand to recommend to the Waterfront Redevelopment Authority to place a for sale sign on the property located on Madison Ave, parcel # 281-46-65021803. After further discussion the motion was amended. Moved by Alderperson Wiegand, seconded by Alderperson Schlicht to amend the motion to include notifying past interested parties of the sale. Carried. A vote was then taken on the original motion as amended. Carried.

Consideration of: Sale of City Owned Parcel on N. 14<sup>th</sup> Avenue-Parcel # 281-46-16080201.

Moved by Alderperson Wiegand, seconded by Alderperson Stutting to direct staff to determine the value of the property located at North 14<sup>th</sup> Avenue, parcel # 281-46-16080201 from the City Assessor and report back to the Committee at the next meeting. Carried.

There were no items for review on the unfinished business list.

Review bills

Moved by Alderperson Wiegand, seconded by Alderperson Schlicht to approve the bills as presented and forward to the Common Council for payment. Carried.

Moved by Alderperson Schlicht, seconded by Alderperson Wiegand to adjourn. Carried. The meeting adjourned at 7:35 pm.

Respectfully submitted,



Tricia Metzger



## MEMO

To: Finance Committee  
From: Marty Olejniczak, Community Development Director *M.O.*  
Date: May 7, 2014  
Subject: City-Owned Parcel on Madison Ave – parcel #281-46-65021803

The Finance Committee is considering whether a parcel of land under city ownership should be offered for sale. City staff was directed to provide details regarding this parcel. Information is provided below.

### Northwest corner of Madison Avenue and Pine Street

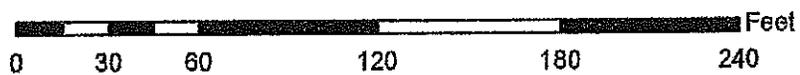
1. The parcel was acquired from Muckian Oil Company in 1996. The sale price was \$95,000 which included all the property from Pine Street to the alley. It was acquired in order to provide a relocation site for The Tire Center, which needed to be relocated for the waterfront redevelopment project.
2. The property was actually deeded to the Waterfront Redevelopment Authority, which then split the property into two pieces. The larger piece with the auto service station building was used for The Tire Center relocation. The smaller vacant site was retained by the Authority.
3. The parcel is approximately 64 feet by 100 feet and has 6,425 square feet of area.
4. The zoning is C-2 Central Business District.
5. The parcel is sloped which might impact the ease of buildability.
6. In 2004 The Tire Center approached the Waterfront RDA about purchasing the vacant parcel. The RDA said it was interested but it depended upon the actual use and site plan. Formal negotiations never materialized.
7. In 2008 Lau's Auto Care (new owner of The Tire Center) inquired about buying the lot. The Waterfront RDA recommended that the property be for sale under restrictions for appropriate use and to have the city assessor provide an estimate of value. The city assessor estimated a potential value of \$50,000 or more. This apparently was too high for Lau to consider.

Additional information regarding this property is provided in the attached documents.

MO/cn

attachments

# Location Map Vacant Lot Owned by WRA



Nov 17, 2008

# CITY of STURGEON BAY

GREG WEISHEIPL  
ASSESSOR

Phone : (920) 746-2908  
Fax : (920) 746-2905

421 Michigan St.  
Sturgeon Bay, WI. 54235

January 21, 2009

To: Marty Olejniczak – Community Development Director

From: Greg Weisheipl – City Assessor

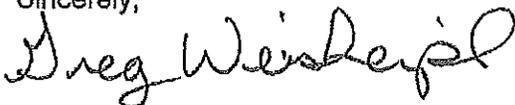
Re: Value Estimate for 281-46-65021803

It is my understanding you are interested in obtaining a value for a vacant parcel located on the corner of Pine and Madison owned by the Sturgeon Bay Waterfront Redevelopment Authority. The assessed value on this parcel would have been around \$47,500 or equated at market value in 2004 at around \$51,000. This parcel is zoned C-2.

Based on the sale of the land and building across the street at 160 S. Madison for \$93,000 on 12-20-2007, a lot value of at least \$50,000 or more appears to be easily supportable as the old gas station wasn't worth much at the time of the sale. This lot at 50' x 100' is also smaller than your subject lot which is 65' x 100'. The building here has been renovated since the sale occurred.

The previous analysis is not an appraisal or estimate of value. It is only how I would have assessed that site back in 2004 if it had been a taxable parcel. The lot sale across the street would indicate a potential market value for this lot of \$50,000 or more. If you or the common council needs an appraisal on this parcel, I would recommend contracting with an appraiser to perform a more in-depth and formal appraisal of the property.

Sincerely,



Greg Weisheipl  
City Assessor



## Lau's Auto Care Center

149 South Madison Avenue

Sturgeon Bay, WI 54235

920-743-3617

January 5, 2009

Stephen McNeil, City Administrator  
City of Sturgeon Bay  
421 Michigan Street  
Sturgeon Bay, WI 54235

Dear Mr. McNeil:

Per our past conversations regarding vacant property owned by the City of Sturgeon Bay, located on the corner of South Madison Avenue and Pine Street, I respectfully request the City Council, at their earliest convenience, consider the sale of the property.

As the owner of the property located adjacent, I have a strong interest in purchasing the City owned lot. My business has flourished over the past two years resulting in a need for additional parking lot space. Due to lack of parking spaces on my parcel, my customers are forced to park on city streets. This has been an inconvenience and a hazard to my customers, as well as, a hazard to passing traffic. I am anticipating continued growth in my business, and as such, I am looking at the possibilities of acquiring the vacant parcel to develop additional parking and future expansion of my current building.

I would be happy to meet with you in person or to attend the city meeting to discuss this issue further. I can be reached at the above address and phone number if you need additional information.

Thanking you in advance for your consideration.

Respectfully,

A handwritten signature in cursive script that reads "Dan Lau".

Dan Lau  
Lau's Auto Care Center

## WATERFRONT REDEVELOPMENT AUTHORITY

Thursday, November 20, 2008

A meeting of the Waterfront Redevelopment Authority was called to order at 8:35 a.m. by Chairperson Tom Herlache in Council Chambers, City Hall, 421 Michigan Street.

**Roll call:** Members Tom Herlache, William Galligan, Richard Wickman, Jim Michaud, and Tom Benzshawel were present. Excused: Members John Asher and Ross Schmelzer. Also present were Community Development Director Marty Olejniczak and Community Development Secretary Cheryl Nault.

**Adoption of agenda:** Moved by Mr. Michaud, seconded by Mr. Galligan to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from June 23, 2008.
4. Consideration of: Request to purchase vacant WRA lot adjacent to Lau's Auto Care, 149 S. Madison Avenue.
5. Resolution authorizing Brownfield Site Assessment Grant application for WireTech Fabricators property.
6. Appointment of Waterfront Design Review Board member.
7. Update on current waterfront redevelopment activities.
8. Duties and responsibilities of Waterfront Redevelopment Authority.
9. Adjourn.

Carried.

**Approval of minutes from June 23, 2008:** Moved by Mr. Galligan, seconded by Mr. Wickman to approve the minutes from June 23, 2008. Carried.

**Consideration of: Request to purchase vacant WRA lot adjacent to Lau's Auto Care, 149 S. Madison Avenue:** Mr. Olejniczak stated that approximately 5 years ago, the former Tire Center (which is currently Lau's Auto Care) was interested in purchasing the vacant parcel adjacent to the business. At that time the City wasn't sure what was happening with the West Side School. The Tire Center never came back with any plans. Since then, Peter Moede of Shipyard Partners, purchased West Side School and had shown some interest in the property, but the sale did not include any contingencies regarding this property. The property is still owned by the WRA. He explained that Dan Lau, owner of Lau's Auto Care, recently expressed an interest in purchasing the property. What the WRA needs to decide is if the property is for sale or not. The lot is 65' wide on Madison Avenue.

Mr. Galligan was concerned of what the use would be. The parcel is not big enough to do anything with and it should be put on the tax roll.

Moved by Mr. Galligan, seconded by Mr. Michaud to recommend that the property is available for sale under restrictions for appropriate use. Mr. Olejniczak will check with the City Assessor on the estimated market value of the lot. Motion carried.

**Resolution authorizing Brownfield Site Assessment Grant application for WireTech Fabricators Fabricators property:** Mr. Olejniczak presented the resolution authorizing the Brownfield Site Assessment Grant application for the WireTech property. He explained that the City recently

## Waterfront Redevelopment Authority - August, 2003

Waterfront Redevelopment Authority should encourage the developers to pursue their proposal further. Carried.

**Consideration of: Request to purchase vacant WRA lot adjacent to The Tire Center:** Mr. Olejniczak stated Tire Center is interested in expanding their business. They would be interested in purchasing the vacant parcel of land next door to The Tire Center, which is owned by the Waterfront Redevelopment Authority.

Mr. Galligan stated it was a very visible corner, as it is the entrance to the City, and wouldn't want things stored outside and make it unpleasant to view.

Mr. Wulf felt it shouldn't be sold unless The Tire Center has specific plans. There may be a better use for the property, since it is a buildable lot. He added that it should first be decided what is going on with West Side School.

Mayor Crocker-MacMillin stated John Brunswick from The Tire Center originally came to Finance Committee. Mr. Brunswick only wanted to know if there was any interest in selling the property before he puts any time and effort into an expansion project.

Moved by Mayor Crocker-MacMillin, seconded by Mr. Reynolds to inform The Tire Center that the Waterfront Redevelopment Authority does have an interest in selling the subject property contingent on use of the property and providing a proposal to the Authority. Carried.

**Appointment of Secretary to the Waterfront Redevelopment Authority:** Mr. Olejniczak explained that according to the bylaws, the secretary is not supposed to be a commission member, but would have power to sign documents, etc. This position can also authorize financial draws. Moved by Mr. Asher, seconded by Mr. Reynolds to appoint Mr. Krauss as Secretary to the Waterfront Redevelopment Authority. Carried.

**Adjourn.** Moved by Mayor Crocker-MacMillin, seconded by Mr. Asher to adjourn. Carried. Meeting adjourned at 11:59 a.m.

Respectfully Submitted,

Cheryl Nault

Community Development Secretary



Stock No. 26273

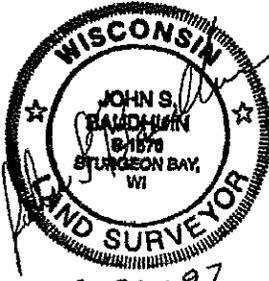
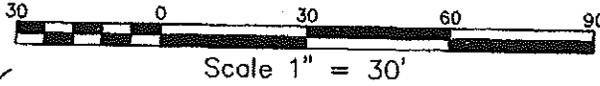
1 VOL 3 PAGE 180

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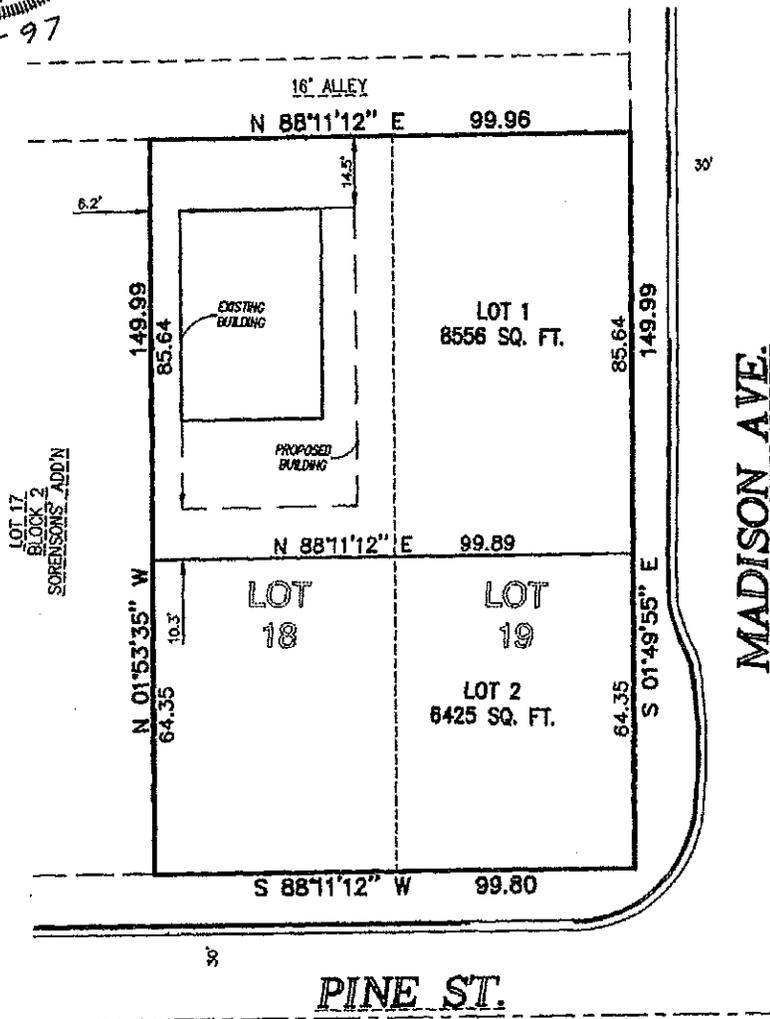
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# CERTIFIED SURVEY MAP

LOCATED IN:  
LOT 18 & 19, BLOCK 2,  
SORENSEN'S ADDITION,  
CITY OF STURGEON BAY, DOOR COUNTY,  
WISCONSIN



4-30-97



1 VOL 3 PAGE 180

555713

Warranty Deed

Document Number

VOL 602 PAGE 730

'96 AUG 12 PM 2 38

DOOR COUNTY  
MARILYN J. BISHOP  
REGISTER DEEDS

1000

THIS INDENTURE, made between Muckian Oil Company, Inc., Grantor, and Sturgeon Bay Waterfront Redevelopment Authority, a Corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, located at Sturgeon Bay, Wisconsin, Grantee.

Witnesseth, that the said Grantor, for a valuable consideration of the sum of Ninety-five Thousand Dollars (\$95,000.00) conveys to Grantee the following described real estate in Door County, Wisconsin:

Lot Eighteen (18) and Lot Nineteen (19), Block Two (2), Sorenson's Addition to the City of Sturgeon Bay, Door County, Wisconsin.

Tax Parcel No. 281-46-65021801

This is not homestead property.

Together with all and singular the hereditaments and appurtenances thereunto belonging;

And Grantor warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except, municipal and zoning ordinances, recorded easements for public utilities, and recorded building and use restrictions and covenants, if any, and will forever warrant and defend.

The consideration stated is payment in full for the property described and includes full compensation for items of damage set forth in §32.09, Wisconsin Statutes, assuming the completion of the improvements contemplated by the relocation order or orders upon which this instrument is based. Compensation for additional items of damage listed in §32.19 and §32.195, Wisconsin Statutes, has not been included. If any such items are shown to exist the owner may file claims as provided in §32.20, Wisconsin Statutes.

Dated this 7th day of August, 1996.

WHZ W-3 FEE #77.25(12) EXEMPT

Muckian Oil Company, Inc.

By: Robert Muckian, President

STATE OF WISCONSIN )  
  )SS  
COUNTY OF DOOR        )

Personally came before me this 7th day of August, 1996, the above-named Robert Muckian, President of Muckian Oil Company, Inc., to me known to be the persons who executed the foregoing instrument and have acknowledged the same.

This Instrument Drafted By:  
Attorney Jeffery M. Weir  
Pinkert, Smith, Weir, Jinkins,  
Neshut, Hauser & Weber  
Attorneys for Sturgeon Bay WRA  
Sturgeon Bay, Wisconsin

Elizabeth A. Johnson  
Notary Public, State of WI  
My Commission: Jan 25, 1998

CLOSED SESSION  
STURGEON BAY WATERFRONT REDEVELOPMENT AUTHORITY  
May 23, 1996

Mr. Van Dyke reported on the relocation negotiations for the Tire Center. They are asking the City to guarantee a clean environmental status on the property they are considering purchasing on Green Bay Road. Mr. Van Dyke suggested instead that the City purchase the Muckian Oil Co. property at 149 S. Madison Avenue, assume PECFA funding for environmental cleanup, and sell that site to the Tire Center. The purchase price for this property is \$85,000.00. He also reported the Reimer property on Madison Avenue is for sale and could provide a much needed parking lot. Moved by Mr. Brey, seconded by Mr. Galligan to recommend to the Common Council to purchase the Muckian Oil Co. property at 149 S. Madison Avenue, and to negotiate with Douglas and Danica Reimer for the purchase of property at 119 S. Madison Avenue. Roll call: all voted aye. Carried.

CLOSED SESSION STURGEON BAY WATERFRONT REDEVELOPMENT  
AUTHORITY. June 17, 1996

Negotiations for acquisition of the Muckian property at the northwest corner of Madison and Pine was discussed. Moved by Mr. Galligan, seconded by Mr. Brey to recommend to the Common Council to purchase the Muckian property for \$95,000 with the City assuming PECFA and closing costs. Roll call: all voted aye. Carried.

CLOSED SESSION  
STURGEON BAY WATERFRONT REDEVELOPMENT AUTHORITY  
July 12, 1996

Mr. Van Dyke stated that Muckian Oil Company has agreed with the Authority's offer to purchase parcel No. 281-46-65021801, and negotiations are proceeding to move the Tire Center to that property. (WFRA later split 1801 by CSM creating 2814665021802 & 1803)

STURGEON BAY WATERFRONT REDEVELOPMENT AUTHORITY  
September 20, 1996.

4. Consideration of: PECFA contracts.

The next item for consideration was environmental consulting and engineering contracts for the former Brunswick (56 N. Madison Ave.) and Muckian (149 S. Madison Ave.) properties. These properties have potential fuel contaminants and the cost of environmental assessment, be borne by PECFA. Agreements from Fluid Management, Inc. for cleanup of these properties were presented and discussed. The scope of services includes investigation and cleanup strategy, site investigation work plan, provision of necessary DILHR/PECFA documentation, remedial action options analysis,