

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

Monday, September 15, 2014

2:30 p.m.

Community Room, City Hall  
421 Michigan Street

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from July 24, 2014.
4. Consideration of: Update regarding West Waterfront Redevelopment activities.
5. Consideration of: Request for tax incremental financing assistance for reuse of former Applebee's restaurant.
6. 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: West Side Development Incentives.

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.

7. Consideration of: Application for WEDC planning grant.
8. Consideration of: Sale of vacant lot at the corner of Pine Street and Madison Avenue, parcel #281-46-65021803.
9. Adjourn.

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

WRA Members

Thomas Herlache, Chair  
William Galligan  
Rick Wiesner  
Stewart Fett  
Ross Schmelzer  
Cap Wulf  
John Asher

3:00 p.m.  
9/11/14  
CN

## **WATERFRONT REDEVELOPMENT AUTHORITY**

Tuesday, July 24, 2014

A meeting of the Waterfront Redevelopment Authority was called to order at 3:00 p.m. by Chairperson Tom Herlache in Community Room, City Hall, 421 Michigan Street.

**Roll call:** Members Ross Schmelzer, Stewart Fett, John Asher, Rick Wiesner, Tom Herlache, and Thomas Wulf were present. Excused: Member Bill Galligan. Also present were City Administrator Steve McNeil, Mayor Thad Birmingham, DCEDC Executive Director Bill Chaudoir, Alderman Ron Vandertie, Community Development Director Marty Olejniczak, and Community Development Secretary Cheryl Nault.

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

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from July 8, 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: Update regarding West Waterfront Redevelopment activities.
6. Adjourn.

Carried.

**Approval of minutes from July 8, 2014:** Moved by Mr. Asher, seconded by Mr. Fett to approve the minutes from July 8, 2014. All ayes. Carried.

**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. Roll call vote. All ayes. Carried. The meeting moved to closed session at 3:02 p.m.

Moved by Mr. Schmelzer, seconded by Mr. Fett to reconvene in open session at 3:49 p.m. All ayes. Carried.

**Consideration of: Update regarding West Waterfront Redevelopment activities:** Mr. Olejniczak gave an update regarding West Waterfront activities. The additional soil testing was completed last week at the Co-op site. The City met with the DNR regarding the title for the Co-op property. This should be taken care of soon. The City received the grant reimbursement for the study of the grain elevator and the design for public space.

Mr. Chaudoir added that Vandewalle is continually working with the potential Madison Avenue apartment developer.

**Adjourn:** Moved by Mr. Schmelzer, seconded by Mr. Fett to adjourn. Carried. Meeting adjourned at 3:55 p.m.

Respectfully Submitted,



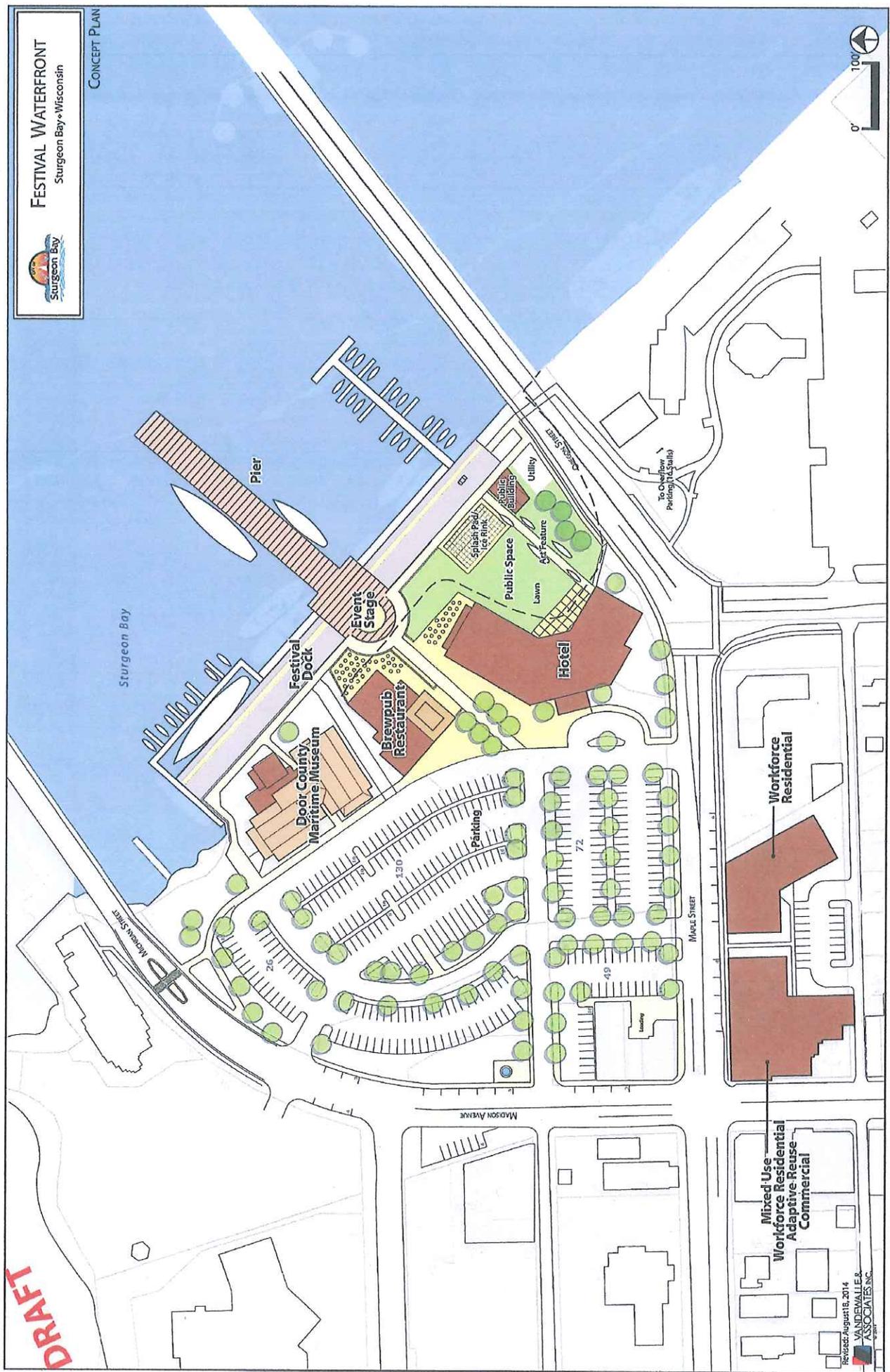
Cheryl Nault  
Community Development Secretary

**DRAFT**

**FESTIVAL WATERFRONT**  
Sturgeon Bay • Wisconsin



CONCEPT PLAN



Mixed Use  
Workforce Residential  
Adaptive Reuse  
Commercial

Workforce  
Residential

Revised: August 18, 2014  
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ASSOCIATES, INC.  
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State of Wisconsin  
DEPARTMENT OF NATURAL RESOURCES  
101 S. Webster Street  
Box 7921  
Madison WI 53707-7921

Scott Walker, Governor  
Cathy Stepp, Secretary  
Telephone 608-266-2621  
Toll Free 1-888-936-7463  
TTY Access via relay - 711



August 19, 2014

Marty Olejniczak, Community Development Director  
City of Sturgeon Bay  
421 Michigan Street  
Sturgeon Bay, WI 54235

Dear Marty:

I am pleased to inform you that your Stewardship application for the development of the Festival Waterfront Park Development has been tentatively selected to receive a grant in the amount of \$217,841. This letter represents preliminary selection of your project for funding; this award is contingent on the successful completion of the remaining required evaluation of each project. The amount may change as we complete our reviews and finalize eligible transaction costs.

Prior to issuance of this grant, we will be reviewing your project to ensure that it meets all applicable federal laws, state statutes, and administrative rules. Actual grant agreements will be mailed to you upon completion of this review and the project receiving final approval. **You should not purchase any land nor begin construction or other work on your project prior to receiving and returning your signed grant agreement to us unless you are willing to assume the risk of absorbing those costs.** This letter is only a preliminary selection of your project for funding and the Department may identify issues that would lead to only partial funding or a denial of the application in full.

If you have any questions regarding the status of your application or Stewardship grant requirements, please call me at (920) 662-5121. I will be in touch if our review and final approval process requires additional information from you. If you are no longer interested in this grant, please let me know immediately so that others on the ranked list of projects may receive grant funding.

Again, congratulations on the tentative selection of your project. I look forward to working with you.

Sincerely,

Chris Halbur  
Northeast Grants & Loans Team Leader  
Wisconsin Department of Natural Resources

C: Lavane Hessler



JAMES R. SMITH  
 RANDALL J. NESBITT\*\*†  
 RICHARD A. HAUSER  
 DAVID L. WEBER\*\*†  
 JON R. PINKERT  
 JENNIFER C. HOBART  
 AMY M. SULLIVAN

454 KENTUCKY STREET  
 P.O. BOX 89  
 STURGEON BAY, WISCONSIN 54235-0089  
 TELEPHONE (920)743-6505  
 FACSIMILE (920)743-2041

HERMAN J. LEASUM (1910-2006)

RETIRED:  
 JEFFERY M. WEIR  
 ROGER PINKERT  
 MARK A. JINKINS

\* Court Commissioner  
 \*\* Also licensed in Iowa  
 † Certified Civil Trial Specialist by  
 National Board of Trial Advocacy

WRITER'S E-MAIL [jsmith@pinkertlawfirm.com](mailto:jsmith@pinkertlawfirm.com)

NORTHERN DOOR OFFICE:  
 2294 SUNSET DRIVE  
 SISTER BAY, WISCONSIN 54234  
 TELEPHONE (920) 854-2616

September 5, 2014

Attorney Megan E. Correll  
 Bureau of Legal Services  
 Wisconsin Department of Natural Resources  
 P.O. Box 7921  
 Madison, Wisconsin 53707-7921

VIA E-MAIL  
[megan.correll@wisconsin.gov](mailto:megan.correll@wisconsin.gov)

**Re: Sturgeon Bay West Side Waterfront Project**

Dear Ms. Correll:

The City is anxious to move forward in establishing the location of the ordinary high water mark on the City's property located adjacent to the Maple Street – Oregon Street bridge corridor on the west side, which more specifically is the land lying to the north of the bridge corridor and to the south of the Door County Coop parcel which is also owned by the City. This is the property which we reviewed and discussed on-site on July 8 of this year.

We have received a title insurance commitment from Peninsula Title, a copy of which is enclosed. You will note that the "requirements" section of the commitment states that the title company needs three items, the first of which (Item 2A.) is a recordable document containing the Department of Natural Resources' determination of the location of the ordinary high water mark on the subject property. I have enclosed a map showing the City parcel, the adjoining coop parcel, and the proposed location of the ordinary high water mark. The map also contains a legal description of the ordinary high water mark as proposed and agreed upon earlier.

If these documents are sufficient for the purpose of assisting you in the preparation of the aforesaid document, please let me know, and if not, I can get you additional maps and information if you let me know what you need.

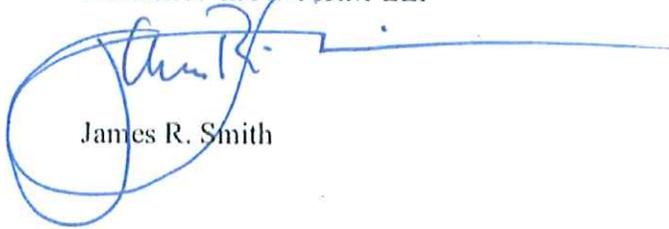
The City has filed grant applications for funds needed to construct the public amenities portion of this project and we really need to nail down the ordinary high water mark in order to complete the process, so time is of the essence in getting this done.

Attorney Megan E. Correll  
Bureau of Legal Services  
Wisconsin Department of Natural Resources  
September 5, 2014  
Page 2

Thank you very much for your past cooperation and consideration and I look forward to hearing from you.

Sincerely,

PINKERT LAW FIRM LLP



James R. Smith

JRS/mah  
Enclosures

c w/enclosures: Mr. Stephen B. McNeil, Administrator, City of Sturgeon Bay  
Mr. Martin J. Olejniczak, Community Development Director, City of Sturgeon Bay  
Attorney Randall J. Nesbitt, Pinkert Law Firm LLP

**Peninsula Title Company**  
a Division of Bay Title & Abstract, Inc 1242 Green Bay Rd.  
Sturgeon Bay, WI 54235  
Phone: (920) 746-1600 Fax: (920) 746-1635  
Issuing Agent for:  
First American Title Insurance Co.  
1650 W. Big Beaver Road P.O. Box 1289 Troy, MI 48099

## Commitment Schedule A

File Number: PTI-14776-FA

1. Effective Date: 8/4/2014, at 12:01:00AM

2. Policy (or Policies) to be issued:

(a) ALTA OWNERS POLICY 6-17-06

Policy Amount

Proposed Insured: Legally Qualified Purchaser to be Named.

\$0.00

(b) ALTA LOAN POLICY 6-17-06

Proposed Insured:

\$0.00

(c)

3. The estate or interest in the land described or referred to in this Commitment is Fee Simple

4. Title to the Fee Simple estate or interest in the land is at the Effective Date vested in:

City of Sturgeon Bay

5. The land referred to in this Commitment is described as follows:

Provide the Company with a legal description prepared by a licensed land surveyor.

Property Address: 100 E. Maple Street Sturgeon Bay, WI 54235

Tax Parcel Number: 281-24-16090101

The Property Address shown herein is for informational purposes only.

Bay Title

By: \_\_\_\_\_

John C. May, President

**THIS COMMITMENT VALID ONLY IF COVER AND SCHEDULE B IS ATTACHED**  
Customer Copy

## Commitment Schedule B - Section 1

File Number: PTI-14776-FA

### REQUIREMENTS

The following are the requirements to be complied with:

- 1A. Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
  - 1B. Pay us the premiums, fees and charges for the policy.
  - 1C. You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
  2. Documents satisfactory to us creating the interest and/or the mortgage to be insured must be signed, delivered and recorded.
    - 2A. Properly record with the Register of Deeds for Door County the Determination by the Department of Natural Resources on the location of the ordinary high water mark. Said Determination should make it clear where this boundary line is so that the legal description described in Requirement 2B below is South and West of said ordinary high water mark determination.
    - 2B. Properly record with the Register of Deeds for Door County a deed executed by the City of Sturgeon Bay to the City of Sturgeon Bay. Said deed to use a legal description prepared by a surveyor and be South and West of the ordinary high water mark determination called for in 2A above.
- NOTE: Said deed to state it is being recorded to put of record the legal description for Tax Parcel No. 281-24-15080101.
- 2C. Deed from the City of Sturgeon Bay to Legally Qualified Purchaser to be Named.

First American Title Insurance Co.

Customer Copy

City of Sturgeon Bay  
Assessors Office  
421 Michigan Street  
Sturgeon Bay, WI 54235



Phone: 920-746-2908  
Fax: 920-746-2905  
E-mail: [ptong@sturgeonbaywi.org](mailto:ptong@sturgeonbaywi.org)

August 1, 2014

Martin Olejniczak  
Community Development Director

Re: Vacant Parcel 281-46-65021803 Estimate of Value

Marty:

Upon a physical inspection of the vacant lot located on the corner of Madison Ave and Pine St, I have changed my opinion of the fair market value to between \$35,000 and \$45,000. This is \$10,000 less than my original opinion, due to the site improvements that I believe will have to be made in order to use the lot.

Please let me know if you have further questions.

Sincerely,

A handwritten signature in cursive script that reads "Ryan Andersen".

Ryan Andersen  
City of Sturgeon Bay  
Assessors Office

# WRA Minutes - May 29, 2014

There is a hotel chain that has shown interest in the waterfront redevelopment area.

The historical markers have been installed at Sawyer Park.

The Coast Guard has begun the construction of their storage building at Sawyer Park.



**Consideration of: Recommendation from Finance/Purchasing & Building Committee to market for sale the vacant lot at the corner of Pine Street and Madison Avenue:** Mr. Olejniczak stated that the vacant lot on the corner of Pine Street and Madison Avenue is owned by the Waterfront Redevelopment Authority. The WRA purchased that property as a relocation site for the Tire Center. The Tire Center did not need the entire property. WRA members discussed what could be done with the property. The Finance Committee recommended to place a for sale sign on the property and to notify past interested parties of the sale. The Assessor's opinion of value of the property is approximately \$55,000.00. Mr. Herlache said that a sale price has to be decided on before a for sale sign can be put up. Moved by Mr. Wulf, seconded by Mr. Asher to table. All ayes. Carried.

**Adjourn:** Moved by Mr. Wulf, seconded by Mr. Wiesner to adjourn. Carried. Meeting adjourned at 4:40 p.m.

Respectfully Submitted,

Cheryl Nault  
Community Development Secretary

# Location Map Vacant Lot Owned by WRA



0 30 60 120 180 240 Feet Nov 17, 2008