

WATERFRONT REDEVELOPMENT AUTHORITY

Monday, October 28, 2013

A meeting of the Waterfront Redevelopment Authority was called to order at 2:00 p.m. by Chairperson Tom Herlache in Community Room, City Hall, 421 Michigan Street.

Roll call: Members John Asher, Tom Herlache, Ross Schmelzer, and William Galligan were present. Excused: Members Rick Wiesner, Joe Stutting, and Thomas Wulf. Also present were City Administrator Steve McNeil, Mayor Thad Birmingham, City Treasurer Val Clarizio, Attorney Jim Smith, Vandewalle Consultants Brian Vandewalle and Dean Proctor (by teleconference), Alderman Bob Schlicht, Community Development Director Marty Olejniczak, and Community Development Secretary Cheryl Nault.

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

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from August 19, 2013.
4. Consideration of: Title commitment for waterfront parcel.
5. Consideration of: Design of the public waterfront improvements.
6. Consideration of: Update regarding West Waterfront Redevelopment activities.
7. Consideration of: Resolution Declaring Official Intent To Reimburse Expenditures From Proceeds Of Borrowing.
8. Adjourn.

Carried.

Approval of minutes from August 19, 2013: Moved by Mr. Asher, seconded by Mr. Schmelzer to approve the minutes from August 19, 2013. All ayes. Carried.

Consideration of: Title commitment for waterfront parcel: Mr. Olejniczak stated that the City was unable to get a title commitment for a large portion to the south and east of the Co-op property. This was discovered when the City tried to do an ALTA Survey of the entire waterfront parcel. There is no deed to the property. The land was filled in the 1950's and 1960's. In order to try and resolve this matter, the City has been working with the City Attorney's office, as well as a private counsel, Attorney Wally Arts in Madison. She had given her legal opinion that the City is indeed the owner of the land. The title company wants some other acknowledgement from the State agreeing with her opinion, so that there are no other problems that would arise in the future.

Attorney Jim Smith stated that Ms. Arts suggested that the Mayor, Mr. Olejniczak, and Mr. McNeil meet with Matt Moroney in Madison regarding title to the property and find a solution to the problem. There is no chain of title to the property since it was filled in land. The DNR needs to be convinced that this would be a good thing for Sturgeon Bay. A good portion is used for public property and the property along the waterfront is important to the DNR. There is a bulkhead line that currently exists.

After a short discussion, it was moved by Mr. Galligan, seconded by Mr. Asher to have City officials meet with Matt Moroney, WI DNR in Madison, to see what can be worked out. All ayes. Carried.

Consideration of: Design of the public waterfront improvements: Mr. Olejniczak stated that the City had received a Wisconsin Coastal Management Grant for the design of public improvements. Vandewalle & Associates worked on the design and a public forum was held in early October at Sawyer Park Pavilion.

A teleconference then took place with Dean Proctor and Brian Vandewalle regarding the Festival Waterfront. They hope to make this a destination for Sturgeon Bay and Door County. The Festival Waterfront would provide public access to the waterfront, unite the whole area and provide a setting for the private development. Mr. Proctor went through all the details of the proposed improvements.

Mr. Galligan suggested that the public walkway going all the way to Maple Street should not be shown as an actual line on the plan. Only an intent should be shown. He added that there is 600 feet from the Maritime Museum to the Michigan St. Bridge. The Tug Purves takes up much room and seems like there is too much being put in a small area. We need to keep a safe working environment. Mr. Proctor responded the working waterfront will be engineered to be safe.

Mr Galligan questioned the relocation of the tugboats and if that would affect the working waterfront. Mr. Olejniczak responded a potential funding source that has been identified is the Wisconsin Harbor Assistance Program. It will only fund a commercial or transportation oriented aspect. Mr. Asher added if the Fireboat was transferred from the Maritime Museum to that dock, it would qualify.

Mr. Asher stated that the dock should be extended by the fireboat. Expansion of the Maritime Museum should be shown to the south. He also mentioned that he spoke with some fishermen and that they would prefer a floating dock and use carts to bring the fish to the restaurant/market. Also, he personally felt that cars should not be allowed to drive on the Festival Pier, with all the benches, flowerboxes, etc. that would be located there.

Members discussed the informal public fishing area near the Oregon Street Bridge and would prefer asphalt rather than the gravel that is shown on the plan. That would prevent kids from throwing stones and possibly damaging any boats in that area.

Discussion took place regarding the location of the steps by the event stage on the Festival Pier and the change of elevation.

Mr. Herlache mentioned that they are not asking for approval of the docks and piers. They are there as placeholders.

Mr. Asher thought the pier behind the Tug Purves should be moved closer to the restaurant and away from the yachts. Mr. Vandewalle will check with the Pollmans, the potential restaurant owner, to see if "Fresh fish caught daily" would be listed on their menu. There should also be a lease agreement in place with fishermen that their fish be cleaned before they are brought in.

By consensus, the WRA approved the concept on the land side of the schematic with amendments discussed, and Vandewalle is to bring back a new drawing for approval.

Mr. Olejniczak stated that the City can apply for an engineering or construction grant for the promenade and event stage. The maximum grant award is \$100,000.00. This grant can get the engineering done, as well as construction of the water's edge treatment. If the City would receive this matching grant, we would not be able to spend any of the grant until July, 2014. It was the consensus of the WRA that the City apply for the grant.

Consideration of: Update regarding West Waterfront Redevelopment activities: Ms. Clarizio stated that at the meeting on August 19, 2013, the WRA authorized refinancing of the TID #2 portion of the June 1, 2005 bond issue and the balance of the TID #2 December 1, 2006 bond issue. Since then, interest rates

had climbed and no longer warranted the refinancing. The rates continued to be monitored and have now lowered again, which is even lower than when it was authorized. The recommendation will now go to Council on November 5th. These bonds have only one opportunity to be refinanced.

Mr. Olejniczak stated that at the last meeting the WRA approved spending funds for the foundation analysis. The City will be going forward with the analysis and staying under the not to exceed amount of \$10,000. It will first need to be reviewed by the City Attorney.

The demo of the other Co-op buildings is occurring. Everything will be coming down except for the grain elevator.

In regard to the brownfield remediation issue, it is progressing on the Co-op parcel.

The City has met with the DNR Fisheries regarding design of the large commercial pier and they had no concerns.

Mr. Galligan asked what the City needs to do to start consideration of the Selvick operation and what the alternatives are. Mr. Olejniczak responded a number of concepts have been put together to see where the tugs can be relocated. Possibilities included Sunset Park, Bay Ship, or Bayview Bridge areas. Selvicks are aware of this project. A future agenda item should include a formal recommendation to Council regarding the relocation of the tugs.

Consideration of: Resolution Declaring Official Intent To Reimburse Expenditures From Proceeds Of Borrowing: Ms. Clarizio explained that this is for an amount of \$2,000,825.00. The site work has begun on the Co-op property and she would like to wait a bit for the actual borrowing. Because the site work is not considered a preliminary expense, a resolution needs to be passed within 60 days of incurring the expense to reimburse the general fund with the borrowed funds. After a short discussion, it was moved by Mr. Schmelzer, seconded by Mr. Asher to recommend to Council to pass the Resolution Declaring Official Intent To Reimburse Expenditures From Proceeds Of Borrowing. All ayes. Carried.

Adjourn: Moved by Mr. Asher, seconded by Mr. Schmelzer to adjourn. Carried. The meeting adjourned at 3:45 p.m.

Respectfully Submitted,

Cheryl Nault
Community Development Secretary