



**CITY OF STURGEON BAY COMMON COUNCIL AGENDA
TUESDAY, JANUARY 2, 2019
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. Public Comment.
6. Consideration of the following bills: General Fund – \$482,429.92, Capital Fund - \$13,235.78, Cable TV - \$5,101.63, and Solid Waste Enterprise Fund - \$4,207.79 for a grand total of \$504,975.12. roll call]
7. 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 12/18/18 regular Common Council minutes.

* b. Approval of the following minutes:

- (1) Finance/Purchasing & Building Committee – 12/11/18
- (2) Joint Park & Recreation Committee/Board – 12/12/18
- (3) Community Protection & Services Committee – 12/13/18
- (4) Ad Hoc West Waterfront Planning Committee – 12/13/18
- (5) City Plan Commission – 12/19/18

* c. Consideration of: Approval of beverage operator licenses.

* d. Consideration of: Approval of Temporary Class B Beer and Temporary Class B Wine license for Gala of Giving-St. John Bosco School.

* e. Finance/Purchasing & Building recommendation re: Approve the proposed pre-annexation agreement with Duquaine Development, parcel #020-01-12272541B & C1 with stipulations honoring the building permits approved by the Town of Nasewaupsee for Phase I and that Phase II and Phase III need to be approved by the City of Sturgeon Bay and the annexation has to happen prior to January 1, 2020.

* f. Joint Park & Recreation Committee/Board recommendation re: Create an Ad Hoc Committee on Sturgeon Bay Waterfront Parks with an emphasis on beaches.

* g. City Plan Commission recommendation re: Amending Chapter 20 of the Municipal Code (Zoning Code) regarding Accessory Dwelling Units.

8. **Mayoral appointments.**
9. **First reading of ordinance re: Repeal and recreate Section 28.04(2) of the Municipal Code – Historic Preservation Commission.**
10. **First reading of ordinance re: Zoning code amendments for accessory dwelling units – Chapter 20 of the Municipal Code.**
11. **Second reading of ordinance re: Repeal and recreate Section 1.166(2)(b)3 of Municipal Code – Local Arts Board.**
12. **Resolution re: Decrease dock pass fees.**
13. **Community Protection & Services recommendation re: Put forth a non-binding referendum regarding cannabis, AKA marijuana, to gage public opinion with a two-part question subject on legalization for medicinal use, and recreational use for those age twenty-one and over.**
14. **Consideration of: Height Exemption for Historic-Designated Structures.**
15. **Items to be Included on Future Agendas (New Business).**
16. **City Administrator report.**
17. **Committee Chairperson Reports:**
 - a. **City Plan Commission**
 - b. **Finance/Purchasing & Building Committee**
 - c. **Park & Recreation Committee**
18. **Mayor's comments.**
19. **Convene in closed session in accordance with the following exemptions:**
 - a. **Conferring with legal counsel for governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Wis. Stats. 19.85(1)(g)**

Consideration of: Settlement Agreement with Friends of the Sturgeon Bay Public Waterfront, Shawn M. Fairchild, Carri Andersson, Linda Cockburn, Russ Cockburn, Kathleen Finnerty and Christy Weber v. City of Sturgeon Bay and Waterfront Redevelopment Authority of the City of Sturgeon Bay.
 - b. **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: Clerk/Treasurer Department Positions.

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

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.

Posted:

Date: 12-28-18

Time: 12:00pm

By: LM

CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT

INVOICES DUE ON/BEFORE 01/02/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
GENERAL FUND				
2017 CAPITAL PROJECTS & EQUIP				
01761	ASSOCIATED TRUST COMPANY	GO REFND BOND 11.14.17	01-000-901-70002	475.00
TOTAL 2017 CAPITAL PROJECTS & EQUIP				475.00
TOTAL GENERAL FUND				475.00
CITY COUNCIL				
12300	LEAGUE OF WI MUNICIPALITIES	2019 DUES	01-105-000-58999	2,971.84
TOTAL				2,971.84
TOTAL CITY COUNCIL				2,971.84
CITY CLERK-TREASURER				
13875	MUNICIPAL CODE CORP	ADMIN SUPPORT FEE-MUNICODE	01-115-000-57050	275.00
R0000394	SAFEGUARD BUSINESS SYSTEMS	2018 W-2 FORMS	01-115-000-51600	59.50
R0000394		W-2 ENVELOPES	01-115-000-51600	74.00
R0000394		2018 1099 MISC FORMS	01-115-000-51600	71.77
R0000394		SHIPPING	01-115-000-51600	23.44
USBANK	US BANK	FUEL	01-115-000-55600	13.29
TOTAL				517.00
TOTAL CITY CLERK-TREASURER				517.00
COMPUTER				
AMPLITEL	AMPLITEL TECHNOLOGIES, LLC	CAMERA/FIBER PROJECT	01-125-000-55550	8,175.00
USBANK	US BANK	KEYBOARD/MOUSE	01-125-000-55550	34.38
USBANK		MONITOR	01-125-000-55550	1,736.30
USBANK		MOUNT	01-125-000-55550	37.97
USBANK		CABLE	01-125-000-55550	70.15
USBANK		PLATE	01-125-000-55550	34.89
USBANK		WALL PLATE	01-125-000-55550	34.89
USBANK		PD SCANNER	01-125-000-55550	419.99
USBANK		WYSE CLIENTS-5	01-125-000-55550	375.00
USBANK		DISPLAY ADAPTER	01-125-000-55550	10.33
USBANK		COMPUTERS	01-125-000-55550	2,894.92
USBANK		DRIVE	01-125-000-55550	82.27
TOTAL				13,906.09
TOTAL COMPUTER				13,906.09
CITY ASSESSOR				
01740	ASSESSMENT TECHNOLOGIES	ANNL WEB PUBLISHING-2019	01-130-000-51100	875.76
01740		RENEW MD PRF ANNL SITE LIC	01-130-000-51100	2,048.11
ASSO APP	ASSOCIATED APPRAISAL	01.02.19 CONTRACT	01-130-000-55010	1,333.41
TOTAL				4,257.28

INVOICES DUE ON/BEFORE 01/02/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
			TOTAL CITY ASSESSOR	4,257.28
BUILDING/ZONING CODE ENFORCEMT				
USBANK	US BANK	10 STATE SEALS	01-140-000-52750	330.00
USBANK		SHIPPING	01-140-000-52750	4.76
		TOTAL		334.76
		TOTAL BUILDING/ZONING CODE ENFORCEMT		334.76
MUNICIPAL SERVICES ADMIN.				
03133	CELLCOM WISCONSIN RSA 10	11/18 CHAD CELL SVC	01-145-000-58250	37.03
20725	T R COCHART TIRE CENTER	TIRES	01-145-000-56250	317.36
USBANK	US BANK	STEEL TOE BOOTS-SHEFCHIK	01-145-000-55605	33.75
		TOTAL		388.14
		TOTAL MUNICIPAL SERVICES ADMIN.		388.14
PUBLIC WORKS ADMINISTRATION				
03133	CELLCOM WISCONSIN RSA 10	11/18 STEVE CELL SVC	01-150-000-58250	12.10
03133		11/18 MIKE CELL SVC	01-150-000-58250	33.07
03133		11/18 CELL SVC	01-150-000-58250	7.34
		TOTAL		52.51
		TOTAL PUBLIC WORKS ADMINISTRATION		52.51
CITY HALL				
07785	THE GREAT OUTDOORS	PD GARAGE DOOR BRAKE	01-160-000-55300	55.00
07785		SVC & ADJUSTMENT	01-160-000-55300	297.50
23730	WPS	CITY HALL-421 MICHIGAN ST	01-160-000-56600	1,817.44
		TOTAL		2,169.94
		TOTAL CITY HALL		2,169.94
GENERAL EXPENDITURES				
08167	GANNETT WISCONSIN NEWSPAPERS	ORD 1351-1118 PUBLISH	01-199-000-57450	329.94
08167		PHN ZONING TEXT AMEND	01-199-000-57450	24.72
16590	PITNEY BOWES	POSTAGE MACHINE INK	01-199-000-57250	169.98
BOETTCOM	BOETTCHER COMMUNICATIONS	WEBSITE PLUG PREP FOR 2019	01-199-000-51100	171.00
		TOTAL		695.64
		TOTAL GENERAL EXPENDITURES		695.64

INVOICES DUE ON/BEFORE 01/02/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
POLICE DEPARTMENT				
22800	WALMART COMMUNITY	DVD'S	01-200-000-51950	27.82
USBANK	US BANK	2019 WNTR CONF REG/PORTER	01-200-000-55600	150.00
USBANK		CONF HOTEL DEP/PORTER	01-200-000-55600	91.00
USBANK		SHOTS SHOW/PORTER	01-200-000-55600	35.00
USBANK		2019 WILEEDA CONF REG/BRINKMAN	01-200-000-55600	225.00
USBANK		2019 WILEEDA HOTEL DEP/BRNKMAN	01-200-000-55600	82.00
USBANK		2019 WNTR CONF REG/BRINKMAN	01-200-000-55600	150.00
USBANK		CONF HOTEL DEP/BRNKMAN	01-200-000-55600	91.00
USBANK		TRAINING MEALS/BRINKMAN	01-200-000-55600	7.61
USBANK		TRAINING MEALS/BRINKMAN	01-200-000-55600	6.67
TOTAL				866.10
TOTAL POLICE DEPARTMENT				866.10
POLICE DEPARTMENT/PATROL				
03133	CELLCOM WISCONSIN RSA 10	11/18 CELLPHONES	01-215-000-58250	897.84
03133		11/18 MIFI WIRELESS ROUTER	01-215-000-58250	260.68
04696	DOOR COUNTY TREASURER	UNLEAD FUEL	01-215-000-51650	2,891.94
06650	GALLS, AN ARAMARK COMPANY	BELT CLIP BADGE HOLDER/MIELKE	01-215-000-52900	112.45
LECC	LECC TRAINING FUND	2019 INTEGRTE RSPNSE/BILODEAU	01-215-000-55600	80.00
LECC		2019 INTEGRTE RSPNSE/GANDER	01-215-000-55600	80.00
LECC		2019 INTEGRTE RSPNSE/CRABB	01-215-000-55600	80.00
MIELKE	CHAD MIELKE	TRNING MEAL& PRKING EXPNSES	01-215-000-55600	187.33
USBANK	US BANK	FUEL	01-215-000-51650	36.50
USBANK		HOTEL SPILLMAN CONF/HOUGAARD	01-215-000-55600	568.36
USBANK		AIRPORT PARKING	01-215-000-55600	74.00
USBANK		MEAL SPILLMAN CONF/HOUGAARD	01-215-000-55600	12.46
USBANK		MEAL SPILLMAN CONF/HOUGAARD	01-215-000-55600	18.79
USBANK		MEAL SPILLMAN CONF/HOUGAARD	01-215-000-55600	28.44
USBANK		MEAL SPILLMAN CONF/HOUGAARD	01-215-000-55600	16.61
USBANK		MEAL SPILLMAN CONF/HOUGAARD	01-215-000-55600	8.53
USBANK		MEAL SPILLMAN CONF/HOUGAARD	01-215-000-55600	7.31
USBANK		MEAL SPILLMAN CONF/HOUGAARD	01-215-000-55600	14.51
USBANK		FUEL	01-215-000-51650	42.60
USBANK		LUNCH W/ DA-CJP INVESTIGATION	01-215-000-54999	32.28
USBANK		TRINING REGISTRATION/DEIBELE	01-215-000-55600	175.00
USBANK		TRNING REG/COYHIS & HAJNY	01-215-000-55600	350.00
USBANK		FUEL	01-215-000-51650	32.17
USBANK		LODGING/MIELKE	01-215-000-55600	328.00
USBANK		FUEL	01-215-000-51650	29.43
USBANK		ICLOUD STORAGE	01-215-000-58250	0.99
USBANK		2 TINT METERS--PTROL SQUADS	01-215-000-58600	194.00
TOTAL				6,560.22
TOTAL POLICE DEPARTMENT/PATROL				6,560.22
POLICE DEPT. / INVESTIGATIONS				
04575	DOOR COUNTY HARDWARE	USB CABLE & CHARGER	01-225-000-51500	30.97
HENRY	CLINT HENRY	CLOTHING REIMBURSE/HENRY	01-225-000-52900	28.15
SPILLMAN	SPILLMAN TECHNOLOGIES, INC.	2019 ANNL MAINTENANCE	01-225-000-58999	5,428.69

INVOICES DUE ON/BEFORE 01/02/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
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GENERAL FUND

TOTAL	5,487.81
TOTAL POLICE DEPT. / INVESTIGATIONS	5,487.81

FIRE DEPARTMENT

02005	BAY ELECTRONICS, INC.	ANTENNA REPLACEMENT	01-250-000-57550	160.04
04696	DOOR COUNTY TREASURER	11/18 FUEL	01-250-000-51650	1,501.20
06650	GALLS, AN ARAMARK COMPANY	UNIFORM	01-250-000-52900	41.19
06650		CREDIT RETURN	01-250-000-52900	-43.96
06650		UNIFORM	01-250-000-52900	11.97
06650		UNIFORM	01-250-000-52900	16.39
06650		UNIFORM	01-250-000-52900	82.95
06650		UNIFORM	01-250-000-52900	43.45
06650		UNIFORM	01-250-000-52900	9.82
06650		UNIFORM	01-250-000-52900	40.00
06650		UNIFORM	01-250-000-52900	13.72
12100	LAMPERT YARDS INC	FOAMBOARD, PLYWD, HRDWARE	01-250-000-54999	208.18
12100		FASTENERS/LUAN	01-250-000-54999	38.73
14875	NWTC GREEN BAY	STATE EXAM/HAZMAT	01-250-000-55600	160.00
16570	PIONEER FIRE COMPANY	UNIFORMS	01-250-000-52900	224.00
20725	T R COCHART TIRE CENTER	TIRE REPAIR	01-250-000-53000	35.00
23730	WPS	WS FIRE-656 S OXFORD	01-250-000-56600	257.84
EMER REP	EMERGENCY REPORTING	2019 ANNL CONTRACT	01-250-000-56000	2,791.60
PAULCONW	PAUL CONWAY SHIELDS	BATTERY LIGHT REPLACEMENT	01-250-000-51350	169.50
PAULCONW		EQUIPMENT	01-250-000-52700	133.50
USBANK	US BANK	FOAM ROLLERS	01-250-000-54999	142.62
USBANK		UNIFORM BOOTS	01-250-000-52900	258.20
USBANK		10/18 DATA	01-250-000-58250	271.13
USBANK		BOOTS	01-250-000-52900	180.45
USBANK		COMPARTMENT LOCKS	01-250-000-54999	17.01
USBANK		BOOTS-FRANGIPANE	01-250-000-52900	109.99
USBANK		PARKING-PRE-BUILD	01-250-000-55600	24.00
USBANK		UNIFORM	01-250-000-52900	242.25
USBANK		STATION FUEL	01-250-000-51650	19.08
USBANK		AUDIO CORDS	01-250-000-54999	16.38
USBANK		COMMAND VEHICLE CLOCK	01-250-000-53000	21.98
USBANK		ACTIVE 911	01-250-000-56000	63.75
USBANK		UNIFORM	01-250-000-52900	256.50
USBANK		NFA MEALS	01-250-000-55600	172.00
USBANK		UNIFORM	01-250-000-52900	261.45
USBANK		AC NFA	01-250-000-55600	30.00
USBANK		AC NFA	01-250-000-55600	48.00

TOTAL	8,029.91
TOTAL FIRE DEPARTMENT	8,029.91

SOLID WASTE MGMT/SPRING/FALL

USBANK	US BANK	3 CABLE SEPARATORS	01-311-000-53000	17.07
USBANK		SHIPPING	01-311-000-53000	8.70

TOTAL	25.77
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INVOICES DUE ON/BEFORE 01/02/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
			TOTAL SOLID WASTE MGMT/SPRING/FALL	25.77
COMPOST/SOLID WASTE SITE				
MAX R	MEM, LLC	10 HRS GRINDING	01-320-000-57700	5,500.00
MAX R		10 HRS EXCAVATOR	01-320-000-57700	1,000.00
MAX R		MOBILIZATION	01-320-000-57700	1,500.00
		TOTAL		8,000.00
		TOTAL COMPOST/SOLID WASTE SITE		8,000.00
ROADWAYS/STREETS				
LILY BAY	LILY BAY SAND & GRAVEL LLC	100YDS SCREENED TOPSOIL	01-400-000-52500	1,500.00
RCECAVA	RC EXCAVATING	CONCRETE CRUSHING	01-400-000-55700	14,775.00
		TOTAL		16,275.00
		TOTAL ROADWAYS/STREETS		16,275.00
SNOW REMOVAL				
13825	MORTON SALT	SALT DELIVERY- 231,760LBS	01-410-000-52400	7,481.94
		TOTAL		7,481.94
		TOTAL SNOW REMOVAL		7,481.94
STREET SIGNS AND MARKINGS				
12100	LAMPERT YARDS INC	3 SHEETS PLYWOOD	01-420-000-52550	121.77
		TOTAL		121.77
		TOTAL STREET SIGNS AND MARKINGS		121.77
STREET MACHINERY				
01720	ARING EQUIPMENT COMPANY INC	WIRING HOUSING	01-450-000-57550	31.08
04696	DOOR COUNTY TREASURER	11/18 FUEL CHARGES	01-450-000-51650	615.71
04696		11/18 DSL FUEL CHARGES	01-450-000-51650	2,146.71
ADVAUTO	GENERAL PARTS DISTRIBUTION LLC	FUEL	01-450-000-53000	20.82
ADVAUTO		OIL	01-450-000-53000	55.17
ADVAUTO		CABIN AIR FILTER	01-450-000-53000	11.02
ADVAUTO		CABIN AIR FILTER	01-450-000-53000	22.04
ADVAUTO		ABS CONTROL MOD	01-450-000-53000	467.74
ADVAUTO		DOOR JAMB SWITCH	01-450-000-53000	9.01
ADVAUTO		LAMP	01-450-000-53000	22.41
ADVAUTO		CREDIT RETURN	01-450-000-53000	-9.01

INVOICES DUE ON/BEFORE 01/02/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
ADVAUTO		DIESEL ADDITIVE	01-450-000-53000	121.32
ADVAUTO		FUEL	01-450-000-53000	4.90
ADVAUTO		ASSTD FILTERS/CLEARNERS	01-450-000-53000	163.32
JIM FORD	JIM OLSON FORD-LINCOLN, LLC	HEATER CONTROL KNOB	01-450-000-53000	13.82
O'REILLY	O'REILLY AUTO PARTS-FIRST CALL	TRACTOR LIGHT	01-450-000-53000	11.99
PATS	DEBBIE DERENNE	NEW SEAT	01-450-000-53000	140.00
PATS		COVER REPAIR	01-450-000-53000	65.00
REG FEE	REGISTRATION FEE TRUST	TITLE/TRNFER FEE PD FORD EXPLR	01-450-000-53000	70.50
TOTAL				3,983.55
TOTAL STREET MACHINERY				3,983.55
CITY GARAGE				
01766	AURORA MEDICAL GROUP	DRUG SCREEN	01-460-000-57100	100.00
04575	DOOR COUNTY HARDWARE	KITCHEN FAUCET	01-460-000-54999	39.99
04575		2" HOLE COVER	01-460-000-54999	3.99
04575		2 SS HOSES @ 7.59EA	01-460-000-54999	15.18
04699	DOOR COUNTY VACUUMS	1 PACK VACUUM BAGS	01-460-000-55300	9.95
04699		1 HEPA FILTER	01-460-000-55300	9.95
06012	FASTENAL COMPANY	COVERALLS	01-460-000-54999	51.45
06012		TINTED SAFETY GLASSES	01-460-000-54999	106.34
06012		CLEAR SAFTEY GLASSES	01-460-000-54999	40.15
06012		44FT WELDING WIRE	01-460-000-56250	105.93
06012		CUT OFF WHEELS	01-460-000-56250	20.24
06012		HARDWARE	01-460-000-56250	6.16
19297	SHORE TO SHORE RENTAL, INC	2 SAFETY PLATES @ 1.19	01-460-000-52700	2.38
19297		2 4" GRINDING WHEELS @ 11.95	01-460-000-52700	23.90
23730	WPS	CITY GARAGE-835 N 14TH AVE	01-460-000-56600	2,030.68
VIKING	VIKING ELECTRIC SUPPLY, INC	REFRACTOR WALL PACK	01-460-000-56250	105.78
VIKING		BULBS	01-460-000-56250	65.55
WARNER	WARNER-WEXEL WHOLESALE &	12 TOLIET BOWL CLEANRS	01-460-000-54999	34.68
TOTAL				2,772.30
TOTAL CITY GARAGE				2,772.30
CELEBRATION & ENTERTAINMENT				
SRO	SRO EVENTS, INC	2019 1ST INSTALL HRMONY SERIES	01-480-000-58999	8,966.67
TOTAL				8,966.67
TOTAL CELEBRATION & ENTERTAINMENT				8,966.67
HIGHWAYS - GENERAL				
CHRISTEN	CHARLES N. CHRISTENSEN	SAFETY CLOTHES REIM/CHRISTENSE	01-499-000-56800	70.65
DELCHAMB	TOM DELCHAMBRE	SAFETY CLOTHING REIMB/DELCHAMB	01-499-000-56800	155.06
ROBILLAR	STEVE ROBILLARD	2018 WORK BOOT REIMB/ROBILLARD	01-499-000-56800	175.00
ROBILLAR		2019 SAFETY BOOT REIM/ROBILLAR	01-499-000-56800	65.00
TOTAL				465.71

INVOICES DUE ON/BEFORE 01/02/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
			TOTAL HIGHWAYS - GENERAL	465.71
PARK & RECREATION ADMIN				
03133	CELLCOM WISCONSIN RSA 10	11/18 MIKE CELL SVC	01-500-000-58250	33.07
03133		11/18 CELL SVC	01-500-000-58250	7.35
03133		11/18 CELL SVC	01-500-000-58250	27.66
PULSE	PENINSULA PULSE	2019 ADVERTING	01-500-000-57450	1,050.09
SWANK	SWANK MOTION PICTURES, INC	2019 SUMMER MOVIES IN THE PARK	01-500-000-52250	2,956.00
		TOTAL		4,074.17
		TOTAL PARK & RECREATION ADMIN		4,074.17
PARKS AND PLAYGROUNDS				
04575	DOOR COUNTY HARDWARE	LED REEL	01-510-000-54999	27.18
04575		RAKES	01-510-000-54999	49.98
04696	DOOR COUNTY TREASURER	11/18 FUEL CHARGES	01-510-000-51650	474.26
04696		11/18 DSL FUEL CHARGES	01-510-000-51650	25.63
19310	GALETON GLOVES INC	COTTON WORK GLOVES	01-510-000-54999	87.90
19310		LEATHER WORK GLOVES	01-510-000-54999	39.28
20725	T R COCHART TIRE CENTER	FLAT REPAIR	01-510-000-51900	12.00
20725		FLAT REPAIR	01-510-000-51900	10.00
20725		2 TRACTOR TIRES @ \$666	01-510-000-58600	1,332.00
20725		MOUNTING 2 TIRES @ \$143	01-510-000-58600	286.00
23730	WPS	MEM FLD-335 S 14TH AVE	01-510-000-56600	227.43
ADVAUTO	GENERAL PARTS DISTRIBUTION LLC	TRAILER ADAPTER	01-510-000-54999	18.39
BLUE TRP	BLUE TARP FINANCIAL	PRESS WSHR/SPRAYER	01-510-000-51750	796.98
JBTREE	J & B TREE SERVICE, LLC	CUT DOWN 4 TREES	01-510-000-58450	1,650.00
LONDO	RYAN LONDO	SAFETY CLOTHING REIMB/LONDO	01-510-000-56800	60.11
MACCOUX	PHIL MACCOUX	SAFETY BIBS/MACCOUX	01-510-000-56800	84.39
MACCOUX		SAFETY GLOVES/MACCOUX	01-510-000-56800	13.18
MACCOUX		SAFETY GLASSES/MACCOUX	01-510-000-56800	20.55
USBANK	US BANK	3 RELAYS	01-510-000-51900	9.20
USBANK		20 MINI CONNECTORS	01-510-000-51900	8.12
USBANK		50 RELAY CONNECTORS	01-510-000-51900	8.56
USBANK		4 MINI CIRCUIT BREAKERS	01-510-000-51900	7.94
		TOTAL		5,249.08
		TOTAL PARKS AND PLAYGROUNDS		5,249.08
BALLFIELDS				
13049	MAY'S SPORT CENTER	BACKPACK PWER PACK BLOWER	01-520-000-56500	439.96
R0001289	MITCH ANDERSEN	2018 MEM FLD BLFLD MAINTENANC	01-520-000-58999	3,524.00
		TOTAL		3,963.96
		TOTAL BALLFIELDS		3,963.96

INVOICES DUE ON/BEFORE 01/02/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
MUNICIPAL DOCKS				
23680	WS PACKAGING GROUP INC.	LAUNCH PASS STICKERS	01-550-000-51600	522.02
23730	WPS	36 S NEENAH AVE	01-550-000-56600	16.77
PIER	PIER & WATERWAY SOLUTIONS,LLC	WINTER DOCK REMOVAL	01-550-000-55900	1,770.00
		TOTAL		2,308.79
		TOTAL MUNICIPAL DOCKS		2,308.79
WATER WEED MANAGEMENT				
USBANK	US BANK	3 FLOATING WEED RAKES	01-560-000-54999	243.15
		TOTAL		243.15
		TOTAL WATER WEED MANAGEMENT		243.15
EMPLOYEE BENEFITS				
03780	COUNSELING ASSOCIATES OF DC	12/18 EAP	01-600-000-56553	150.83
CORAGGIO	CORAGGIO, LLC	SEPT-DEC 2018 WELLNESS PROGRM	01-600-000-50550	1,500.00
		TOTAL		1,650.83
		TOTAL EMPLOYEE BENEFITS		1,650.83
		TOTAL GENERAL FUND		112,294.93
CAPITAL FUND				
COMPUTER				
USBANK	US BANK	SERVER PARTS	10-125-000-59040	171.33
USBANK		SERVER MODULE/SWITCH	10-125-000-59040	2,670.00
USBANK		SERVER SWITCHES	10-125-000-59040	399.99
USBANK		SERVER SWITCH	10-125-000-59040	375.00
		TOTAL		3,616.32
		TOTAL COMPUTER		3,616.32
CITY HALL				
EXPENSE				
04696	DOOR COUNTY TREASURER	1048 EGG HRBR RD 2018 TAX BILL	10-160-000-59999	321.97
		TOTAL EXPENSE		321.97
		TOTAL CITY HALL		321.97
GENERAL EXPENDITURES				
14490	NEENAH FOUNDRY	MANHOLE LIDS	10-199-000-51525	782.20
		TOTAL		782.20

INVOICES DUE ON/BEFORE 01/02/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
CAPITAL FUND				
TOTAL GENERAL EXPENDITURES				782.20
PATROL				
02208	BAYCOM INC.	SQUAD 60 CHANGE OVER	10-215-000-59035	3,175.00
TOTAL PATROL				3,175.00
TOTAL PATROL				3,175.00
ROADWAYS/STREETS				
02130	BAUDHUIN INC	LOT PIN RESET 335 S DULUTH AVE	10-400-000-59096	700.00
TOTAL LEAD LATERAL				700.00
TOTAL ROADWAYS/STREETS				700.00
CITY GARAGE				
BLUE TRP	BLUE TARP FINANCIAL	BOTTLE JACK	10-460-000-59060	358.99
BLUE TRP		SCREWDRIVER SET	10-460-000-59060	11.99
BLUE TRP		PRY BAR SET	10-460-000-59060	29.99
JIM FORD	JIM OLSON FORD-LINCOLN, LLC	TRCK TRANSMISSION REPLCE-LABOR	10-460-000-59060	1,320.00
JIM FORD		TRCK TRANSMISSION REPLCE-PARTS	10-460-000-59060	2,899.32
JIM FORD		TRCK TRANMSSON RPLCE-SHOP SUPP	10-460-000-59060	20.00
TOTAL				4,640.29
TOTAL CITY GARAGE				4,640.29
TOTAL CAPITAL FUND				13,235.78
CABLE TV				
CABLE TV / GENERAL				
MANN	MANN COMMUNICATIONS, LLC	1.02.19 CONTRACT	21-000-000-55015	5,101.63
TOTAL CABLE TV / GENERAL				5,101.63
TOTAL CABLE TV / GENERAL				5,101.63
TOTAL CABLE TV				5,101.63
SOLID WASTE ENTERPRISE				
SOLID WASTE ENTERPRISE FUND				
04696	DOOR COUNTY TREASURER	11/18 DSL FUEL CHARGES	60-000-000-51650	3,031.89
20725	T R COCHART TIRE CENTER	RECAPS	60-000-000-52850	858.00

DATE: 12/27/2018
TIME: 10:09:39
ID: AP443000.CST

CITY OF STURGEON BAY
DEPARTMENT SUMMARY REPORT

PAGE: 10

INVOICES DUE ON/BEFORE 01/02/2019

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
SOLID WASTE ENTERPRISE				
SOLID WASTE ENTERPRISE FUND				
SOLID WASTE ENTERPRISE FUND				
20725		DISMOUNT/MOUNTS	60-000-000-52850	100.00
20725		TIRE CHANGES	60-000-000-52850	100.00
JX ENT	JX ENTERPRISES, INC.	ADAPTER	60-000-000-53000	67.98
JX ENT		SWITCH/SOLENOID	60-000-000-53000	183.98
JX ENT		AIR SWITCH	60-000-000-53000	31.92
JX ENT		CREDIT RETURN	60-000-000-53000	-111.99
JX ENT		CREDIT RETURN	60-000-000-53000	-67.98
JX ENT		BRASS FITTING-TRCK 41	60-000-000-53000	13.99
TOTAL SOLID WASTE ENTERPRISE FUND				4,207.79
TOTAL SOLID WASTE ENTERPRISE FUND				4,207.79
TOTAL SOLID WASTE ENTERPRISE				4,207.79
TOTAL ALL FUNDS				134,840.13

MANUAL CHECKS

TRACTOR SUPPLY \$125.95
12/19/18
Check 84466
Credit Card Statement Charges
01-560-000-51400

GODFREY & KAHN \$360,000.00
12/20/18
Check # 84469
Papke Settlement
28-340-000-58950

SOUTHERN DOOR SCHOOLS \$431.08
12/20/18
Check #84470
October & November Mobile Home Tax
01-000-000-41300

STURGEON BAY SCHOOLS \$3,569.96
12/20/18
Check #84471
November Mobile Home Tax
01-000-000-41300

PITNEY BOWES \$6,008.00
12/27/18
Check # 84472
Postage
01-199-000-57250

TOTAL MANUAL CHECKS \$370,134.99

COMMON COUNCIL
December 18, 2018

A meeting of the Common Council was called to order at 7:00 p.m. by Mayor Birmingham. The Pledge of Allegiance was recited. Roll call: Catarozoli, Hayes, Ward, Avenson, Allmann, Wiederanders and Hauser.

Ward/Hauser to adopt the agenda. Carried.

The following people spoke during public comment: Chris Kellems. 120 Alabama St; Scott Moore, 947 Pennsylvania St.

Ward/Wiederanders to approve the following bills - General Fund - \$161,911.54, Capital Fund - \$56,630.62, Cable TV - \$1,036.71 and Solid Waste Enterprise Fund - \$15,228.25 for a grand total of \$234,807.12. Roll call: All voted aye. Carried.

Ward/Catarozoli to approve consent agenda:

- a. Approval of 12/4/18 Common Council minutes.
- b. Approval of the following minutes:
 - (1) Sturgeon Bay Utility Commission – 10/16/18
 - (2) Finance/Purchasing & Building Committee – 11/28/18
 - (3) Personnel Committee – 12/3/18
- c. Place the following reports on file:
 - (1) Inspection Department Report – November 2018
 - (2) Fire Department Report – November 2018
 - (3) Police Department Report – November 2018
- d. Consideration of: Approval of beverage operator licenses.
- e. Consideration of: Approval of Class A Beer and Class A Liquor licenses for Minit Mart, LLC.
- f. Consideration of: Approval of Sidewalk Café Permit Application from Henry S. Baird #174.
- g. Disallowance of Claim Resolution re: Shawn Landles Claim from November 27, 2018.
- h. Finance/Purchasing & Building Committee recommendation re: Accept \$16,118 in tax increment revenue from Bay Lofts, for one year and not amend the development agreement and that City urge the developers to get assessed value reviewed and increased to \$5,000,000.
- i. Personnel Committee recommendation re: Reinstate for 2019, for permanent part-time employees, longevity pay based on the number of years of service and supplemental pay at 80%.
- j. Personnel Committee recommendation re: Increase Part-Time Firefighter annual bonus from \$750 to \$1,000 as budgeted in 2019 Annual Budget for those Part-Time Firefighters that are above the 90% response to calls.

Carried.

There were no mayoral appointments.

Allmann/Avenson to read in title only the first reading of ordinance repealing and recreating Section 1.66(2)(b)3 of the Municipal Code – Local Arts Board. Carried.

Ward/Catarozoli to hold Spring Primary if there are three or more candidates for an office(s). Carried.

Hauser/Allmann to adopt resolution acknowledging the good faith efforts of Sawyer Hotel Development, LLC. Carried.

Hauser/Avenson to adopt that the Common Council of the City of Sturgeon Bay by a vote of at least two thirds of the membership do hereby again approve and accept the Full & Final Settlement Agreement & Release of all Claims and overrides the Mayor's veto of the same.

Discussion took place regarding the limited liability of the municipality according to State Statutes, the proformas with or without the settlement, the process that took place to get to this settlement agreement, that the settlement would put this item to rest and that community could move forward, and the history of the development agreement with Sawyer Hotel Development LLC. Roll call: Carried with Ward and Wiederanders voting no.

RECOMMENDATION

We, the Ad Hoc West Waterfront Planning Committee, hereby recommend to contract with SHE to provide support for public input according to their proposal and contract that was submitted.

AD HOC WEST WATERFRONT PLANNING COMMITTEE

By: Laurel Hauser, Co-Chair
David Schanock, Co-Chair.

Catarozoli/Allmann to adopt. Discussion took place regarding the benefits of hiring a firm for this function vs. keeping in house, the expertise of the proposed firm, what experience the firm had in dealing with TIF Districts, the timeframe of public input, and making sure that Ed Freer was actively involved in this process. Carried.

There were not items to be included on future agendas.

The City Administrator gave his report.

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

The Mayor made his comments.

After Mayor Birmingham announced the statutory basis, Ward/Catarozoli to convene in closed session in accordance with the following exemption: Conferring with legal counsel for governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Wis. Stat. 19.85(1)(g) Consideration of: Settlement agreement with friends of Sturgeon Bay Public Waterfront, Shawn m. Fairchild, Carri Andersson, Linda Cockburn, Russ Cockburn, Kathleen Finnerty and Christy Weber vs City of Sturgeon Bay and Waterfront Redevelopment Authority of the City of Sturgeon Bay. All voted aye. Carried.

The meeting moved to closed session at 8:07 pm and adjourned at 8:20 pm.

Respectfully submitted,



Stephanie L. Reinhardt
City Clerk/HR Director

**FINANCE/PURCHASING & BUILDING COMMITTEE
December 11, 2018**

A meeting of the Finance/Purchasing & Building Committee was called to order at 4:30pm by Alderperson Ward in the Council Chambers, City Hall. Roll call: Alderpersons Ward, Allman and Wiederanders were present. Also present: Alderperson Hayes, City Administrator Van Lieshout, Municipal Services Director Barker, Community Development Director Olejniczak, City Engineer Shefchik, Planning/Zoning Administrator Sullivan-Robinson and Receptionist Metzger. Mayor Birmingham entered at 4:30pm.

A motion was made by Alderperson Allmann, seconded by Alderperson Wiederanders to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Public comment on agenda items and other issues related to finance & purchasing.
4. Consideration of: Changing dock pass fees.
5. Consideration of: Acquisition of right-of-way extending Grant Avenue to Sawyer Drive.
6. Consideration of: Pre-Annexation agreement for Duquaine Development-W. Oak St. (Sawyer Drive)
7. Review bills.
8. Adjourn.

Carried.

The following spoke during public comment on agenda items and other issues related to finance & purchasing: Paul Anschutz 221 N 6th Ave; Chris Kellems, 120 Alabama St; Gary Nault 711 Hickory; David Hayes 111 N 7th Ave; Steven Biedas of Mau Associates.

Consideration of: Changing dock pass fees:

Municipal Services Director Barker explained that in an effort to simplify the cash handling process for the dock pass fees he is requesting to round the fees to an even dollar amount by increasing the resident annual dock pass by \$.65 and the non-resident annual pass by \$.14. He stated that by rounding the fee to an even amount it would eliminate counting change and reduce the time involved for staff to count the cash boxes. Mr. Barker stated that currently the dock cash boxes are transferred twice daily and end up being counted 4 times per day. After brief discussions, it was the consensus of the Committee to decrease the resident annual dock pass by \$.31 to the new rate of \$44.00 including tax and the non-resident pass decreases by \$.85 to the rate of \$73.00 including tax.

Moved by Alderperson Ward, seconded by Alderperson Allmann to forward a resolution to Common Council to approve the proposed dock pass fee decreases as follows:

<u>Fee</u>	<u>Current Rate</u>	<u>Proposed Rate</u>
Resident	\$42.00 plus tax	\$41.71 plus tax
Non Resident	\$70.00 plus tax	\$69.19 plus tax

Consideration of: Acquisition of right-of-way extending Grant Avenue to Sawyer Drive:

Community Development Director Olejniczak explained that this was referred by the Parking & Traffic Committee. It involves a road that is on the official map. The road was originally planned to go in as part

of a development plan by HS Realty Partnership. The road would connect the existing part of Grant Ave to the dead-end portion of Sawyer Drive, which would have created an alternate exit for the development planned by HS Partnership. Mr. Olejniczak stated the Partnership went bankrupt before the road was installed, the bank took back the property and eventually sold the property to a neighbor, Tim Ruenger. Mr. Ruenger has no interest in developing his property or selling the necessary right of way, he was aware prior to purchasing the property that the road was on the City's official map. Mr. Olejniczak continued to explain that the City entered into a memorandum agreement with the DOT that the roadway connection to Sawyer Drive would be installed as a condition of the permit for the highway access on Grant Ave. At this time the City is in violation of the memorandum agreement. City Engineer Shefchik explained that there is an existing gravel road that provides secondary access for EMS services. He stated the cost to complete the existing gravel road is \$85,000 plus an additional \$81,000 to pave the road. However, he explained that the road the City puts in may not be desirable if a developer comes in. After further discussions, the consensus of the Committee was to try to negotiate for the right-of-way with the property owner.

Moved by Alderperson Allmann, seconded by Alderperson Ward to direct Staff to negotiate with the landowner, for the price to obtain the right-of-way.

Consideration of: Pre-annexation agreement for Duquaine Development –W Oak St. (Sawyer Drive):

Community Development Director Olejniczak explained that Duquaine Development, Inc is proposing a multiple-family residential development on two lots which are located in the Town of Nasewaupee. The developers are requesting to hook up to municipal sewer and water. Mr. Olejniczak stated that the developer doesn't want to purchase the property unless they know they can do this project and the property owner isn't going to annex unless the property is going to be sold. In addition, annexing the parcels at this time would create a "town island" which is illegal under Wisconsin state statutes. He stated that the Sturgeon Bay Utilities has reviewed the concept and supports the proposed development hooking up to the utilities. Mr. Olejniczak continued to explain that the Town of Nasewaupee has virtually no development rules and that the City should also consider their level of municipal oversight. Discussions continued regarding potential options to address the creation of a "town island", the need for city approval of phase II and phase III of the development, and that the annexation should happen prior to January 1, 2020.

Moved by Alderperson Allmann, seconded by Alderperson Ward to recommend to Common Council to approve the proposed pre-annexation agreement with Duquaine Development Inc, for parcel #020-01-12272541B & C1 with stipulations honoring the building permits approved by the Town of Nasewaupee for Phase I and that Phase II and Phase III needs to be approved by the City of Sturgeon Bay and the annexation has to happen prior to January 1, 2020. Carried.

Review bills

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

Moved by Alderperson Wiederanders, seconded by Alderperson Allmann to adjourn. Carried. The meeting adjourned at 5:46 pm.

Respectfully submitted,



Tricia Metzger

JOINT PARK AND RECREATION COMMITTEE/BOARD MEETING
Wednesday, December 12, 2018

A meeting of the Joint Park and Recreation Committee / Board was called to order at 5:32 p.m. by Chairperson Hauser in Council Chambers, City Hall, 421 Michigan Street.

Roll Call: Members Ald. Hauser, Ald. Hayes, Ald. Avenson, Municipal Services Director Mike Barker, Leif Hagman, Chris Larsen, Marilyn Kleist, George Husby and Municipal Services Secretary Lynnae Kolden were present.

Adoption of the Agenda: Moved by Ald. Avenson, seconded by Leif Hagman.

1. Roll Call
2. Adoption of Agenda
3. Public Comment
4. Approval of Minutes from October 24, 2018
5. Staff Report
6. Update on Little Lake and Foth
7. Consideration of: Creation of an ad hoc committee on Sturgeon Bay beaches
8. Consideration of: Plan for an urban park at 1116 Egg Harbor Road
9. Discussion of: Improvements to Dog Park
10. Future Agenda Items
11. Next Meeting date: Wednesday, January 23, 2019 @ 5:30pm
12. Adjourn

All in Favor. Carried.

Public Comment: None.

Approval of Minutes from October 24, 2018: Moved by Ald. Hayes, seconded by Ald. Avenson. All in favor. Carried.

Staff Report: Mike Barker reported that the Parks Department was able to remove most of the leaves out of the parks this fall, which will help in the spring. He stated the City also received a grant for 71 trees to be planted at Sunset Park, and that the grant has restrictions on certain trees. He is currently looking into the varieties of trees available, including some fruit trees.

Update on Little Lake and Foth: Mike Barker spoke on the NOAA grant. The City didn't receive the grant, however, there was an opportunity to speak with people to help make the application stronger. The City spoke with them, and will be speaking with them again in the next few weeks. The application is due February 4th, 2019, and will be resubmitted. The City will not hear anything until late summer, and has not gotten a plan B from Foth. Chris Larsen questioned if Foth had been paid in full. Mike Barker stated no, they are still doing research and other things on the project. He also mentioned that when more information was available that he would reach out to the Rotary Club. Ald. Hauser mentioned meeting with the Rotary Club in early January to talk with them about the project.

Consideration of: Creation of an ad hoc committee on Sturgeon Bay beaches: Mike Barker gave a little background on the beaches. He stated he has heard a number of complaints since he started in June. The beaches are small due to the high water levels and the dune grasses. He did remove about 8 feet of the grasses in September, to help make the beach bigger at Sunset Park. He also stated that the dune grass serves a purpose and was installed using grant money, so he doesn't feel that anymore can be removed. Chris Larsen stated that the grasses have helped keep the beaches open, and suggested a deep till to get the runners out of the sand. Ald. Hauser stated that the committee would look into all things pertaining to the beaches, including, things like kayak launches and swim platforms, etc. She also stated that Randy Morrow, who was absent, was willing to chair the ad hoc committee. Sending a recommendation to Council is the next step needed to get the ad hoc committee started. Ald. Avenson made a motion to recommend to Council the creation of the ad hoc committee on Sturgeon Bay beaches. Seconded by George Husby.

Ald. Hauser asked if any more discussion was needed. Ald. Hayes stated that he liked the idea of the ad hoc committee, but would like to see it not limited to just beaches. He would like to see the committee expanded to include the public spaces and the parks, and feels they could come up with a priority list of the things that need to be done. Ald. Avenson mentioned that we have the wayfinder project to help with the overall city and park recognition, and is worried about it getting too broad. She also felt that beaches had been brought up a number of times on its own, and deserves the focused group. George Husby would like it to stay just beaches for this committee, and have another committee look into the other things. He can remember when the beaches used to have 100's of people enjoying them, and now he doesn't see hardly anyone using them. Mike Barker agreed with the wayfinder comments

and that the ad hoc should look into the usage of water sports and include kayak launches. Ald. Hayes said maybe the committee could include the water related park activities, he just felt beaches alone is too restrictive. Ald. Hauser agreed on the comments to including the waterways in the committee, and also stated that the Outdoor Recreation Plan will need to be updated next year, and that would help with the priority of projects for the parks.

Ald. Avenson amended the motion: To recommend to Council to create an ad hoc committee on Sturgeon Bay waterfront parks with an emphasis on beaches. Seconded by George Husby. All in favor. Carried.

Consideration of: Plan for an urban park at 1116 Egg Harbor Road: Ald. Hauser gave background information on the property. It is 7.34 acres. The property is already being used as a park, there are mown trails and people are walking and biking in there. It is in an area that is in need of a park in the future. There are over 400 apartments within a ½ mile radius. The committee had approved earlier to have the city attorney find out if the sellers would agree to a right of first refusal. The sellers are not interested, so going forward a couple of options would be, to request staff to research the cost of maintaining the property as is, or to recommend to Council to have the city attorney negotiate an offer to purchase, and make it contingent on appraisal and contingent on City Council approval. George Husby asked if we had the resources for the upkeep of an additional park. Mike Barker stated the budget would need to be looked at, and that if we were going to do a park, to do it right from the start and provide bathrooms. Ald. Avenson asked if we could get the cost of a restroom, parking lot, and maintaining the upkeep of mowing the trails. Discussion continued in regards to the cost of the property, maintenance of a park and access options. Ald. Hayes is concerned about strapping the Parks Department with another park, when we have a list of things needed to enhance the other city parks. Chris Larsen stated the possible park is in a nice location, but agrees that we need to set the priorities. More discussion on the access points and costs took place.

Chris Larsen made a motion to direct staff to pursue the various estimates of vehicular access to the Peil property from Alabama & Egg Harbor Rd. Seconded by Ald. Hayes. All in Favor. Carried.

Ald. Hauser asked if at the same time the cost of road access is being explored did the committee want the city attorney to pursue on the property as well. Ald. Hayes wants to see the breakdown on the land vs. the structures. Ald. Avenson asked if there is a cost to have the city attorney pursue the options. Ald. Hauser stated the cost of the legal time. Chris Larsen stated he wanted to know the cost of accessing the property first.

Ald. Hauser made a motion to table the agenda item: Plan for an urban park at 1116 Egg Harbor Road. Seconded by Chris Larsen. All in Favor. Carried.

Discussion of: Improvements to Dog Park:

Bill Luer, 155 N. 9th Ave. – Spoke on behalf of the dog park group. They did get together with Ald. Avenson to discuss the usage and possible upgrades. They are looking to get a shelter and a port-a-potty. The group wants to know how to move forward and what they can do. Discussion continued on various shelter structures including recycled buildings, tents, and a greenhouse type structure.

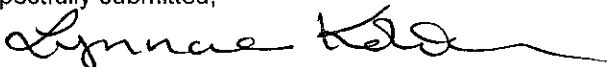
Doug Drew, 544 Louisiana St.– Asked if the City could provide materials to help fill in some of the holes that dogs are digging, and also wanted to know what weed killers are being used, and whether or not we could use pet friendly ones. Mike Barker stated that he could provide some materials to fill in the holes, and will find out which chemicals are being used for weed control. Leif Hagman asked if it would be possible to keep track of the volunteer hours used to calculate the cost savings in those adopted parks. Ald. Hauser suggested the lead adopter keep track of the volunteer hours.

Future agenda items: Scott Fischer, 5712 Salona Rd. – Spoke on getting trails at Big Hill Park. He would like to have rake and ride trails put in by volunteers maintained with leaf blowers twice a year. It would be zero cost to the City. Ald. Hayes suggested putting together a proposal for the next meeting. Chris Larsen thought placement of the trail locations should not be located too close to the houses in that area. Mike Barker stated Brian Spetz would need to map the park for the trail flow, and felt it was a good idea, seeing there would be no cost to the City for the trails.

Next Meeting date: Wednesday, January 23, 2019 @ 5:30pm.

Motion to adjourn meeting by Ald. Avenson, seconded by Leif Hagman.
Meeting adjourned at 7:10 pm.

Respectfully submitted,



Lynnae Kolden
Municipal Services Secretary

COMMUNITY PROTECTION & SERVICES COMMITTEE
December 13, 2018

A meeting of the Community Protection & Services Committee was called to order at 5:00 p.m. by Chairperson Allmann in the Council Chambers, City Hall. **Roll Call:** Members Ms. Allmann, Ms. Catarozoli and Mr. Wiederanders were present. City staff present included City Administrator Josh VanLieshout.

Moved by Ms. Allmann, seconded by Ms. Catarozoli to adopt the following agenda.

1. Roll call
2. Adoption of agenda
3. Consideration of: Possible Citywide non-binding referendum regarding cannabis, AKA marijuana, to gage public opinion on the subject or legalization for medicinal and recreational purposes.
4. Consideration of: City of Sturgeon Bay Ethics Policy Procedure Manual
5. Public Comment on Non-Agenda Items
6. Adjourn

Citywide Non-Binding Cannabis Referendum

Chris Kellems: 120 Alabama Street
Ms. Kellems shared her view on the marijuana referendum.

Ed Dimaio: 5338 Cty Hwy TT
Mr. Dimaio shared his view on the marijuana referendum.

Mr. Wiederanders stated the purpose of the referendum would be to ask the City residents their opinion on medical use of marijuana, and recreational use for people over the age of twenty-one. Ms. Catarozoli confirmed we would look at a two-part referendum; one part for medicinal use and one part recreational use.

Ms. Allmann shared her view on whether there is enough education on the effect of recreational marijuana use, especially in young people. She supports looking into a referendum on the medicinal use of marijuana only; and does not support the recreational side of it.

Moved by Ms. Catarozoli, seconded by Mr. Wiederanders to recommend to the Common Council to put forth a non-binding referendum regarding cannabis, AKA marijuana, to gage public opinion with a two-part question subject on legalization for

medicinal use, and recreational use for those age twenty-one and over. Two ayes. One no. Carried.

Mr. Wiederanders will submit the recommendation and read it in to the Common Council.

Mr. VanLieshout suggested the importance of having the exact language of the question to be placed on the referendum before taking it to the Common Council.

Ethics Policy

City Administrator, Josh VanLieshout presented the committee with three separate handouts: draft version of the Code of Conduct, memo from Attorney James Kalny regarding consideration and enacting a Code of Conduct, and a sample code from the Village of Suamico.

There is continued work being done on the drafted code. A final version will be shared with this Committee before being sent for approval with the Council.

Ms. Allmann asked Mr. VanLieshout to inquire if the Village of Suamico has had to use their ethics code since its development in 2008.

Ms. Catarozoli favors the ethics code of the Village of Suamico over Green Bay's example, stating it is more directed to what our City Council wants to address rather than restricting people's speech.


It was noted that at this time the City does not have a disclosure statement; it might be something to consider.

Regarding a strategic planning update, Mr. VanLieshout noted Mr. Skahan had declined to lead the session. Ms. Allmann asked members of the committee to assist in finding another possible candidate.

Public Comment on Non-Agenda Items

No public comment.

Moved by Mr. Wiederanders, seconded by Ms. Catarozoli, to adjourn the meeting of the Community Protection Services Committee. All ayes. Carried. The meeting was adjourned at 5:45 p.m.

Respectfully submitted,

Sarah Spude-Olson
Police Department
Administrative Office Manager

AD HOC WEST WATERFRONT PLANNING COMMITTEE

Thursday, December 13, 2018

A meeting of the Ad Hoc West Waterfront Planning Committee was called to order at 6:30 p.m. by Co-Chairperson Laurel Hauser in the Council Chambers, City Hall, 421 Michigan Street.

Roll call: Members Mark Schuster, Ryan Hoernke, Mike Gilson, Stephanie Trenchard, Laurel Hauser, Dave Schanock, Sara Powers, and Erich Pfeifer were present. Excused: Member Jim Schuessler. Member Caitlin Olson entered the meeting at 7:00 p.m. Staff advisors present were Community Development Director Marty Olejniczak and Municipal Services Director Mike Barker. Also present were Alderpersons Kelly Avenson, David Hayes, Barb Allmann, Seth Wiederanders, City Engineer Chad Shefchik, Planner/Zoning Administrator Chris Sullivan-Robinson, Community Development Secretary Cheryl Nault, and several members of the public.

Adoption of agenda: Moved by Ms. Trenchard, seconded by Mr. Hoernke to adopt the following agenda with the removal of Item #8:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from November 15, 2018.
4. Presentation: Teweles & Brandeis Grain Elevator by Sturgeon Bay Historical Society.
5. Consideration of: Consultant assistance with public input – report from the proposal review subcommittee and recommendation to Council.
6. Consideration of: Identification of potential stakeholders to interview for public input.
7. Consideration of: Topics for public survey.
8. ~~Consideration of: Desirable uses and amenities currently missing on the West Side and community in general.~~
9. Public comment on waterfront planning matters.
10. Adjourn.

Carried.

Approval of minutes from November 15, 2018: Moved by Mr. Schanock, seconded by Mr. Hoernke to approve the minutes from November 15, 2018. All ayes. Carried.

Presentation: Teweles & Brandeis Grain Elevator by Sturgeon Bay Historical Society: Sturgeon Bay Historical Society Board member Anne Lampert gave a powerpoint presentation on the history of the granary.

Christie Weber, also a member of the Sturgeon Bay Historic Preservation, stated that the Door County Community Foundation has been holding and managing the donated funds of \$1.25 million dollars for the granary restoration. She said there is a lot of community support and they are asking the City to take advantage of the amazing gift. The size of the building is approximately 40' x 50'. Being historic, there are a lot of grants for historic structures to take advantage of, but they are inaccessible until a location is secured. She gave an estimate of \$6,000.00 per year for maintenance of the granary. The donors want this to be a public building with a public use and to remain historic. If the granary would be moved back to its original location, the foundation would have to be rebuilt. Other non-profit organizations have been interested in using the granary.

Members asked questions in regard to future use of the structure, whether architectural changes can be made, and ownership option. Ms. Weber elaborated on rules for keeping the historical status and stated the building didn't have to be city-owned.

Mr. Barker stated that over the long-term it would cost the City a lot of money to maintain. The City does not have enough man hours to maintain it. Ms. Weber responded that they are here to make it free.

Consideration of: Consultant assistance with public input – report from the proposal review subcommittee and recommendation to Council: Due to conflict of interest, Ms. Powers left the room and abstained from discussion and voting.

Mr. Hoernke reported that he, Ms. Oleson, Ms. Hauser, Mr. Schanock, and Mr. Olejniczak reviewed five request for proposals that had been sent out and received back. Each had a lot of information, provided references, and an approach how to proceed. They selected two firms for phone interviews. These firms included SEH and HGA. When assessing the schedule it was assumed to start in December and conclude mid-February.

Ms. Oleson added that the phone interviews lasted approximately ½ hour for each firm. They both had strong proposals. SEH was chosen because of having a fresh perspective and way of engaging citizens.

Ms. Hauser stated that there will be a 2 ½ day workshop with SEH. Extra outreach to citizens will be done in addition to the workshop.

After further discussion, it was moved by Mr. Hoernke, seconded by Mr. Schanock to recommend to Council to contract with SEH to provided support for public input according to their proposal and contract that was submitted. All ayes. Carried.

Ms. Powers re-entered the meeting.

Consideration of: Identification of potential stakeholders to interview for public input:

Ms. Hauser stated that the consultant recommended to get a list together of stakeholders, with groups of 8-10 people, who have an interest in the property in some way. Some of the potential stakeholders brought up by members were:

- Bayside Bargains
- Selvick Marine
- Maritime Museum
- SBVC
- Raibrook Foundation
- Sturgeon Bay Historical Society
- West Side Business Owners Association
- Arts Organizations
- Residents of Bay Lofts Apartments (families with young children, singles, retirees)
- Bayshore Outfitters
- Basic Citizen Groups
- Industrial Park
- Business Owners (not just immediate area)
- Harbor Club Marina

Boating Community
All Non-Profits
Tourism Groups
DCVB
DC Library

Mr. Olejniczak said it was suggested by SEH to put together groups with common interests.

It was recommended to form a subcommittee to come up with a list of stakeholders. Moved by Ms. Hauser, seconded by Mr. Schanock to form a subcommittee consisting of Ms. Trenchard, Mr. Schuster, Mr. Gilson, and Mr. Pfeifer to work on identifying and organizing the stakeholder portion of the public input. All ayes. Carried.

Consideration of: Topics for public survey: Members discussed the list of potential survey questions for the stakeholders that were provided by SEH and also by Mr. Olejniczak. Members gave their opinion on which survey questions they liked. Ms. Trenchard suggested that members take the survey themselves.

Mr. Gilson added to keep in mind while taking the survey that you can't like it all and have it all.

Public comment on waterfront planning matters: Alderperson Kelly Avenson said to be careful about the wording of survey questions for the grain elevator so as not to limit options. The sense of space should be elaborated upon. She wondered if the public outreach would include an educational component informing of any limitations due to the public trust doctrine. Family things should be focused on, too.

Christie Weber stated the Comprehensive Plan has many statements about retaining small town character, including historic preservation.

Mary Ann Ewig stated the grain elevator restoration would not cost the City anything. She also suggested bringing an architect from the State Historical Society in to answer questions and to make sure SEH has all the materials prior to commencing the public input.

Chris Kellems stated that she would like to add Sea Grant to the list of stakeholders. She would also like to see an educational center/research facility/aquarium added onto the grain elevator on the waterfront near the Maritime Museum.

Scott Moore, 947 Pennsylvania Street, talked about the working waterfront and how the tugs are needed by Bay Ship. He also discussed transient docks and stated the Stone Harbor slips were originally built for that purpose.

Chad Shefchik, spoke about the granary. As a staff member and a citizen he said he is not opposed to the granary being restored, but he is concerned about it being operated by the City. He compared it to the pavilion in Sawyer Park. He believes any operation of the restored granary should be done by another entity.

Alderman David Hayes stated that a yes/no question should be avoided on the survey. He also suggested that an agreement could be devised to have another entity operate the grain elevator, similar to facilities in national parks.

Adjourn: Moved by Ms. Hauser seconded by Mr. Pfeifer to adjourn. Carried. Meeting adjourned at 8:37 p.m.

Respectfully Submitted,



Cheryl Nault
Community Development Secretary

CITY PLAN COMMISSION
Wednesday, December 19, 2018

A meeting of the City Plan Commission was called to order at 6:00 p.m. by Acting Chairperson Dennis Statz in the Council Chambers, City Hall, 421 Michigan Street.

Roll Call: Members Jeff Norland, Dennis Statz, Mike Gilson, and Laurel Hauser were present. Excused: Member Steven Hurley. Also present were Community Development Director Marty Olejniczak, Planner/Zoning Administrator Chris Sullivan-Robinson, and Community Development Secretary Cheryl Nault.

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

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from October 17, 2018.
4. Consideration of: Zoning text amendment related to building height exemption for Historic-designated structures.
5. Consideration of: Zoning text amendment regarding accessory building setbacks and height codes.
6. Consideration of: Zoning code amendments for accessory dwelling units.
7. Public comment on non-agenda Plan Commission related items.
8. Adjourn.

Carried.

Approval of minutes from October 17, 2018: Moved by Mr. Gilson, seconded by Ms. Hauser to approve the minutes from October 17, 2018. All ayes. Carried.

Consideration of: Zoning text amendment related to building height exemption for historic-designated structures: Mr. Olejniczak stated that this was referred from Council to review a potential height exemption for historic structures. The maximum height in a Residential district is 35 feet and is 45 feet in the Commercial, Industrial and Agricultural districts. This ordinance exempts the current height of historic structures from the zoning height code with any increases in height to be reviewed by the Historic Preservation Commission.

Mr. Sullivan-Robinson explained that nonconforming structures have the ability to meet code, apply for a variance, or in some situations apply for a Planned Unit Development (PUD).

Mr. Gilson commented that this item really pertains to one building. It will probably never come to Plan Commission again. It doesn't make sense to change the zoning code for one building.

Mr. Norland recalled the only time height was discussed was for the Maritime Museum, which is not a historic building. He believed that it should be left alone.

Mr. Olejniczak stated that the safest thing in regard to the moving the granary back to its original location would be to get a variance, a PUD or code change.

Discussion continued. Moved by Mr. Gilson, seconded by Mr. Norland to recommend to Council to not adopt a code change regarding building height exemption for historic-designated structures.

Mr. Statz stated that this seems like a solution looking for a problem.

A vote was taken on the motion. Motion failed with Mr. Norland and Mr. Gilson voting aye and Ms. Hauser and Mr. Statz voting no.

Consideration of: Zoning text amendment regarding accessory building setbacks and height codes: Mr. Sullivan-Robinson stated that the Plan Commission had previously reviewed both of these items. The height code had been revised and approved by Plan Commission to allow a maximum building height of 14 feet to 16 feet. It was recommended to Council, but was the consensus not to send it for approval until accessory building setbacks were reviewed. A draft ordinance had been written based on lot widths greater than or less than 100 feet wide. Lots that are less than 100 feet wide would have a 5-foot side yard and 6-foot rear yard. Lots that are or exceed 100 feet wide would have an increased setback of a 10-foot side yard and 10-foot rear yard.

Mr. Sullivan-Robinson handed out a map of all lots in the City that were greater than 100 feet wide, which contained an accessory building and if they would meet the requirements under the new code if adopted. There are 77 structures that would be conforming under the new code and 75 that would be non-conforming.

Mr. Olejniczak added that an accessory structure that is 100 square-feet or under does not need a building permit, but would still require a setback of 3 feet. For any structure over 100 square-feet a permit is required, with a setback of 5 feet on the side and 6 feet on the rear.

Mr. Gilson stated that a 10-foot setback is nothing on a larger lot.

Mr. Norland biggest concern would be a house with a single car garage at a 5-foot setback and wants to increase the size of his garage.

Mr. Statz said again this is a solution looking for a problem. He thought that maybe using a 120-foot or 125-foot lot width with a 10-foot setback may be a better number.

Ms. Hauser was inclined not to change anything or find out if there is a number that would eliminate a good portion of the non-conforming lots.

Mr. Olejniczak mentioned that referring to the map, there are some neighborhoods that have private covenants, such as a 10-foot setback for accessory structures.

It was the consensus of the Commission to come back to the next meeting using a 120 or 125-foot lot width instead of 100 feet.

Consideration of: Zoning code amendments for accessory dwelling units: Mr. Olejniczak stated that this was tabled from the last meeting in order to get more insight from the City Attorney in regard to the recent statutory change on regulating short-term rentals (tourist rooming houses). You can no longer restrict the short-term rentals of the accessory dwelling units. Before it was a 30-day minimum consecutive day rental period. It has now changed to 7 days. In addition, you can now regulate between 7-29 days for half the year. If the code was adopted as currently drafted and an accessory dwelling unit got approved, it could not be rented by the day. It could be rented by the week for half the year and by the month or longer for the rest of the year. According to the City Attorney, it is highly unlikely that the rule will change.

The other potential change that was previously discussed was the rule regarding the principal unit or accessory unit has to be the permanent resident of the property owner. It was also discussed that maybe it could be the property owner or family of the property owner and what the definition of family was.

Mr. Gilson stated that he was not in favor of the 7-day rule. It is just like a tourist rooming house. If allowed, there should be a different way of applying for that such as a variance and to give the neighbors a chance for input.

Mr. Olejniczak responded that this would be a conditional use and would give neighbors the chance to testify.

Ms. Hauser is in favor of the accessory dwelling units. She said the hotels are concerned regarding Air B & B's. ADU's are owner occupied and not just lodging houses. She feels it should be given a try.

Mr. Norland stated that the R-1 district should not be included. People that buy property in the R-1 district want single-family. He was not in favor of ADU's. He felt that even in R-2 it would be opening Pandora's Box and will be difficult to close.

Ms. Hauser wanted everyone to stay open-minded. She suggested starting with R-2 and take another look at it down the road. She had looked at other communities who have done this and it is worth trying.

Moved by Ms. Hauser, seconded by Mr. Statz to recommend to Council approval of the zoning code amendments for accessory dwelling units, but to specifically apply to the R-2 zoning district.

Ms. Hauser amended the motion, seconded by Mr. Statz to exclude the R-1 zoning district.

Ms. Hauser said she strongly felt that the person that owns the property and pays the taxes should be the person that lives on the property.

Discussion continued in regard to the property being in a trust or if the children of the owner of the property lived in one of the dwellings.

Moved by Ms. Hauser, seconded by Mr. Statz to amend the motion and recommend to Council approval of the zoning code amendments for accessory dwelling units excluding the R-1 (Single-Family Residential) zoning district and that the property owner of record reside in the main unit or accessory dwelling unit.

A vote was taken on the final amended motion. Motion carried, with Ms. Hauser, Mr. Statz, and Mr. Gilson voting aye and Mr. Norland voting no.

Public comment on non-agenda Plan Commission related items: Shawn Fairchild, 311 Pennsylvania Street, stated that historic preservation is very important in our community. It is not an easy thing to go through getting something on the historic register. Making a code to protect the granary is not uncommon. The granary is on the national registry. In this situation, you are singling out the building. It is significant and 70 feet tall.

Adjourn: Moved by Mr. Norland, seconded by Mr. Gilson to adjourn. All ayes. Carried. Meeting adjourned at 7:07 p.m.

Respectfully Submitted,

A handwritten signature in black ink that reads "Cheryl Nault". The signature is written in a cursive style with a large, prominent "C" and "N".

Cheryl Nault
Community Development/Building Inspection Secretary

BEVERAGE OPERATOR LICENSE

1. **Brungraber, Amanda L.**
2. **Farber, Ashton L.**
3. **Ihde, Laura A.**
4. **Windchell, Jessica M.**

7d.

7d.

TEMPORARY CLASS B BEER AND CLASS B WINE LICENSE:

Gala of Giving – St. John Bosco School
Agent: Lisa Mueller
730 West Maple Street
Sturgeon Bay, WI 54235
March 2, 2019

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Finance/Purchasing & Building Committee, hereby recommend to approve the proposed pre-annexation agreement with Duquaine Development, for parcel #020-01-12272541B & C1 with stipulations honoring the building permits approved by the Town of Nasewaupsee for Phase I and that Phase II and Phase III needs to be approved by the City of Sturgeon Bay and the annexation has to happen prior to January 1, 2020.

Respectfully submitted,

FINANCE/PURCHASING & BUILDING
COMMITTEE

By: David Ward, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: December 11, 2018

Introduced by _____.

Moved by Alderperson _____ seconded by

Alderperson _____ that said recommendation be adopted.

Passed by the Council on the _____ day of _____, 2018.

EXECUTIVE SUMMARY

Title: Pre-Annexation Agreement with Duquaine Development, Inc.

Background: Mau & Associates, on behalf of Duquaine Development, Inc., is requesting that the City enter into a pre-annexation agreement for two lots located on the south side Oak Street (Sawyer Drive). The lots are currently in the Town of Nasewaupée – parcels 020-01-12272541B & C1. Duquaine Development, which has an option to purchase the subject lots, desires to get city water and sanitary sewer services for a proposed multiple-family residential development, which usually requires annexing the land to the City. But they want to negotiate the terms and timing of the annexation. Annexing the parcels at this time is problematic because doing so would cut off some town acreage from the rest of the town, thereby creating a “town island” which is illegal under Wisconsin annexation law.

The City has often used pre-annexation agreements in the past for a variety of factors, such as:

1. The subject property is ineligible to be annexed by itself due to not being contiguous or creating a town “island” if annexed.
2. The City desires to not individually annex the subject parcel in order to generate enough parcels to accomplish annexation of a larger area (including parcels that do not want to be annexed).
3. There are financial issues such as potential special assessments that the property owner or the City wants to negotiate to get clarity or serve as an inducement to annex.
4. There are reasons relating to the property to hold off on the annexation for a specific period of time, such as allowing the parcel to legally establish a use under town zoning before being subject to the Sturgeon Bay Zoning Code.

Each pre-annexation agreement that the City has approved is different and depends upon the circumstances. For this proposed pre-annexation, factors 1, 2, and 4 all could apply. The Finance Committee and Council need to determine if the City should enter into a pre-annexation agreement and, if yes, what the terms of the agreement should be. The agreement would then be drafted for formal approval by the city and property owner.

The subject parcels are 14.3 acres and one acre in size. The concept plan submitted by Mau & Associates for the development shows eight 20-unit apartment buildings (160 units total) to be constructed in three phases. In addition, four separate lots are proposed along Oak Street (Sawyer Drive) that would be suitable for single-family or two-family homes. The parcels border the City along both the north and south property lines. The municipal water and sewer lines already run along the south edge of the property in conjunction with the back access road for Target. The mains are public and can be extended into the proposed development, but the access road is private. A driveway or street connection to that access road will require approval of that property owner (Wallace Enterprises Inc.).

Cliff White, operations manager at Sturgeon Bay Utilities, has reviewed the concept and supports the proposed development hooking up to the utilities. The most likely scenario is for the utilities to be extended from the south. Those mains were paid for by the developer of the Target store. Hence, per the City’s annexation policies, a pro rata charge for the prior cost of installing that main would not be charged.

From a growth and development standpoint it makes sense for these properties to eventually be annexed into the city. Under the City’s Comprehensive Plan the one-acre lot is planned for higher density single-family residential development. The 14.3-acre parcel is planned for a combination of mixed residential (north half) and commercial or mixed residential (south half). Such future use would involve municipal sewer and water services. The concept development plan is therefore consistent with the Comprehensive Plan.

In addition, much of the surrounding infrastructure is already city-owned or maintained, including roads and storm sewers. If the property develops in the town, which has few development regulations, it would still impact municipal facilities without the control of city ordinances or the tax base to support maintenance. Even emergency services would likely come from the city due to mutual aid agreements and quicker response time. So staff believes the subject parcels, if developed, belong in the City.

The developer previously petitioned for approval of an apartment complex at the corner of Tacoma Beach Road/Clay Banks Road. That proposal generated significant opposition from the surrounding area and was not approved. Nonconformance with the Comprehensive Plan and potential traffic impacts at the highway intersection with Clay Banks Road were the primary reasons cited. Neither of those issues should be a concern with the current proposal. But there could be other objections from the surrounding region. Thus, the developer (and presumably the current property owner) wants a degree of assurance that the intended development will get approval before committing to annexation. Since Nasewaupsee has no zoning ordinance and few impediments to obtaining a building permit, there is incentive to remain in the Town versus annexing to the City.

The other problem is the creation of a "town island" if all of the property is annexed. There are three ways to potentially address this. The first would be to try to craft a larger annexation petition that includes all of the town parcels that would be cut off. This could be difficult since many of those parcels have no need for municipal sewer and water or do not intend to develop/redevelop at this time. So remaining in the town is advantageous to those parcels. The other problem with a large-scale annexation is that property owners opposed to the annexation can petition for a referendum. If the annexation should fail in the referendum, it cannot occur.

The second option to address the town island issue is divide the subject property so that a portion can remain in the town as a "bridge" to those other parcels thereby preventing them from becoming an "island." This is somewhat tricky but likely can be accomplished.

The third option to address the town island issue is to allow the eventual annexation to occur further into the future when more of the town parcels want to annex. A valid annexation petition requires property owners' signatures of at least 50% of the area of the subject land or 50% of the property value of the subject land. There is no telling when that would occur if ever. In addition, under Wisconsin annexation law the municipality is required to pay to the town for 5 years the amount of property taxes collected on the annexed parcels in the year of annexation. Obviously, the City would prefer to pay Nasewaupsee the amount of taxes on the vacant land rather than the amount after the apartments are built. Hence, this option of waiting to annex until sometime into the future is not attractive.

Fiscal Impact: The sanitary sewer and water mains are already in place along the south edge of the subject property. The Developer would be responsible for extending them into the development. SBU will receive income from the new development. For the City, no other services will be offered to the property until it is formally annexed. At that time, a report including the estimated fiscal impact will be drafted. Because it involves only two parcels that are already surrounded by the City, and because the project is fairly dense with no public streets proposed, it is anticipated that the property tax revenue from the development will exceed the cost of providing fire, police, and other services to the site.

Options: The City can:

1. Determine not to enter into a pre-annexation agreement. If this happens Duquaine Developer would need the property owner to petition to annex without the agreement, which is unlikely. Duquaine could also decide to remain in the town and develop the property without municipal sewer and water or could abandon the development plan altogether.

2. Agree to enter into a pre-annexation agreement and negotiate the terms. Such terms could include the timing of the annexation, the process for reviewing/approving the proposed development or other factors.

Recommendation: Staff believes the subject land should be developed with sanitary sewer and municipal water, should generally meet the City's development standards, and should become part of the City. But staff also appreciates the developer's reluctance to annex without development approval and the current property owner's reluctance to annex without an assured sale. The annexation agreement is a good mechanism to ensure that 1) the development standards of the City are met; 2) the property tax revenue from the development goes to the City; 3) the development is properly serviced with utilities; and 4) the developer receives assurances that the construction can actually occur. Thus, the recommendation is for the Finance Committee to craft a pre-annexation agreement for the two parcels that accomplishes these four positive outcomes.

Prepared by:  12-7-18
Martin Olejniczak Date
Community Development Director

Reviewed by:  12-7-18
Chad Shefchik Date
City Engineer

Reviewed by:  12/7/18
Josh Van Lieshout Date
City Administrator

MAU & ASSOCIATES-LLP

LAND SURVEYING & PLANNING ◊ CIVIL & WATER RESOURCE ENGINEERING

400 SECURITY BOULEVARD ◊ GREEN BAY, WI 54313 ◊ PHONE (920) 434-9670 ◊ FAX (920) 434-9672

November 11, 2018

City of Sturgeon Bay
City Council
421 Michigan Ave.
Sturgeon Bay, WI

RE: Request for sanitary and water services and future
annexation into the City of Sturgeon Bay.
Tax Parcel No.'s: 020 0112272541C1 & 020 0112272541B
Brief description: Part of the northeast 1/4-southeast 1/4, Section 12, T27N-
R25E, Town of Nasewaupsee, Door County, Wisconsin.

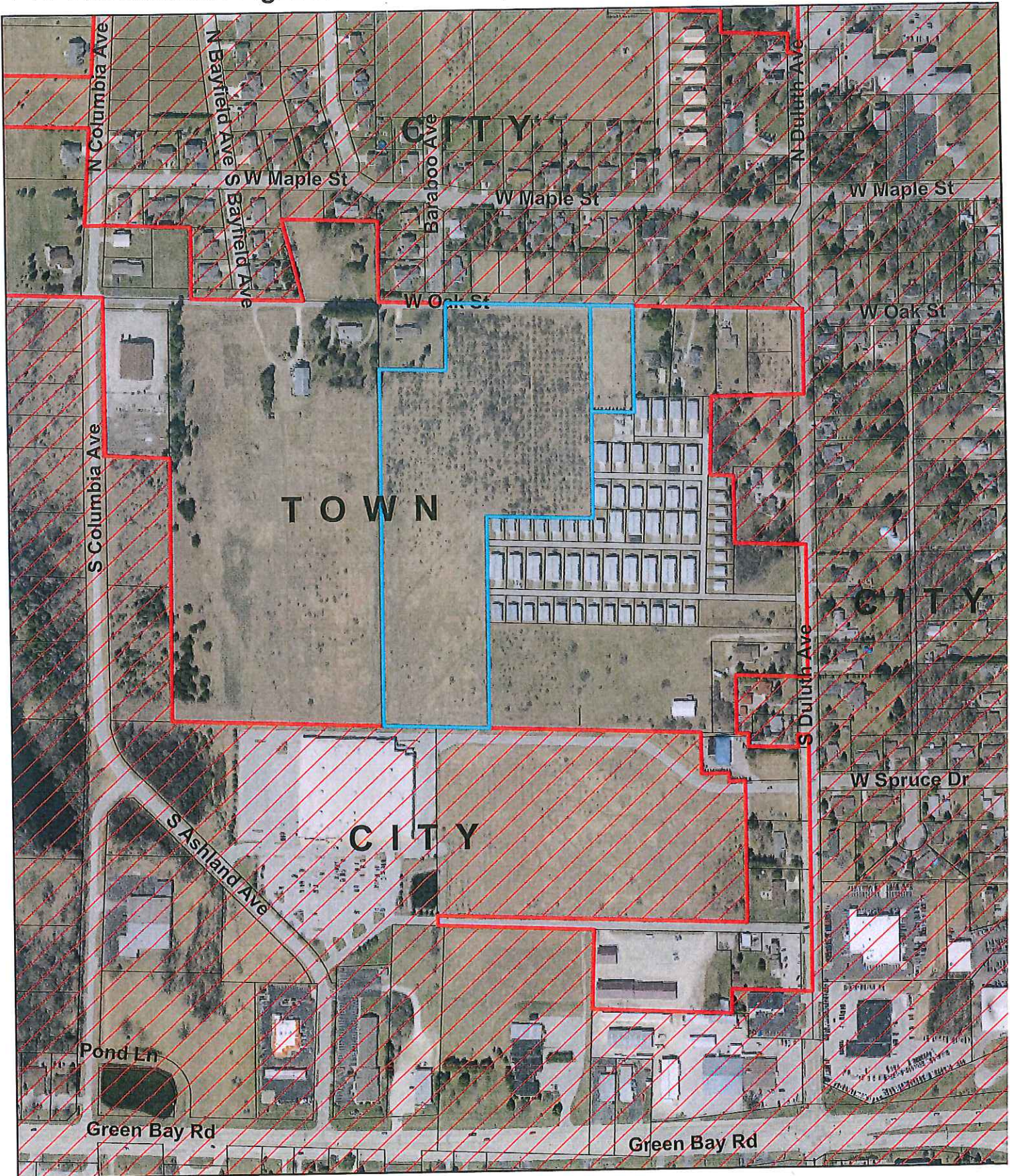
Dear City Council,

I would like to request on behalf of Duquaine Development, Inc. services for sanitary sewer and watermain. In exchange for these services, we would be willing to execute a pre annexation agreement for the above described parcels, into the City of Sturgeon Bay.

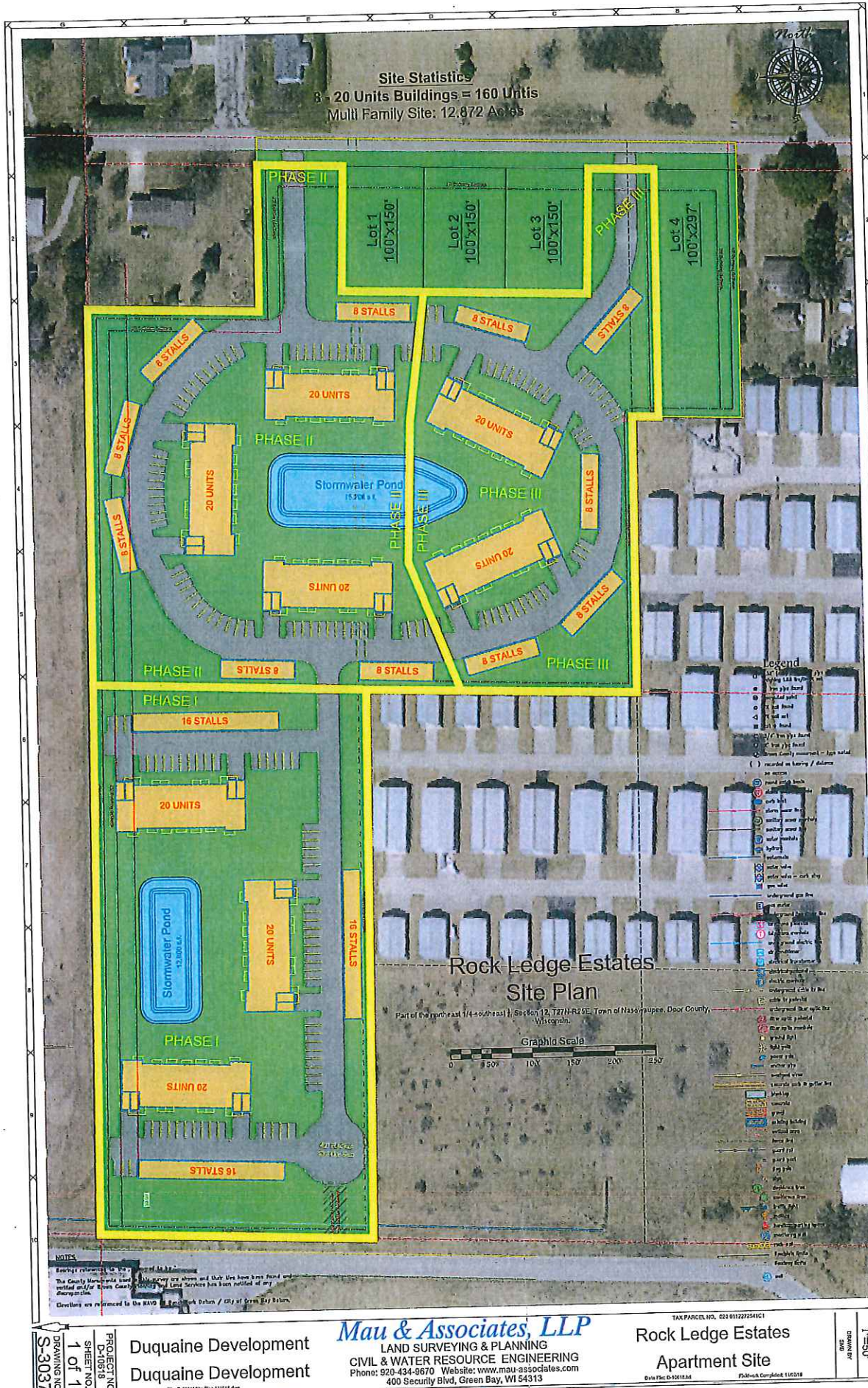
Sincerely,

Steven M. Bieda

Pre-Annexation Agreement for Duquaine Development - Subject Lots



December 6, 2018



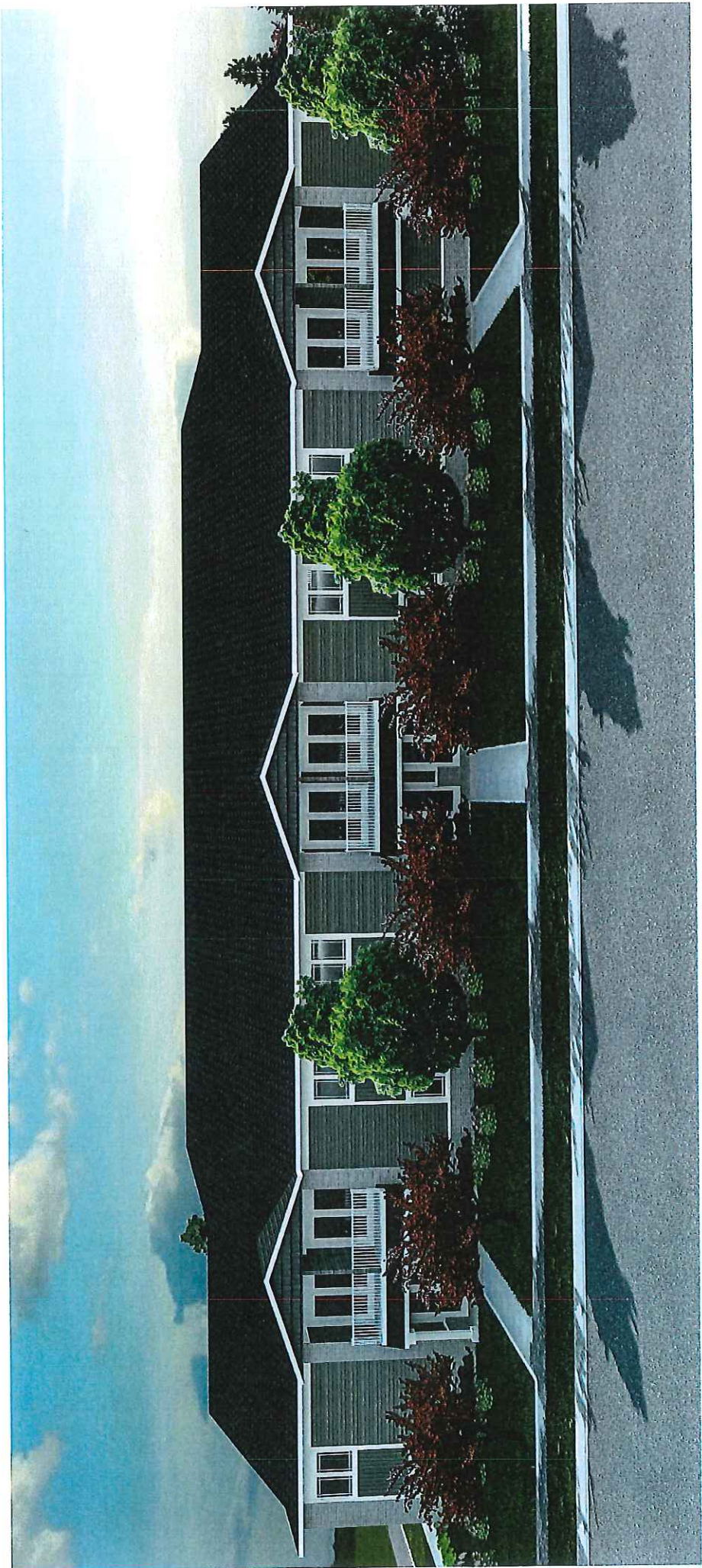
PROJECT NO. D-10818
 SHEET NO. 1 of 1
 DRAWING NO. S-3037

Duquaine Development
 Duquaine Development

Mau & Associates, LLP
 LAND SURVEYING & PLANNING
 CIVIL & WATER RESOURCE ENGINEERING
 Phone: 920-434-9670 Website: www.mau-associates.com
 400 Security Blvd, Green Bay, WI 54313

TAX PARCEL NO. 02901227541C1
Rock Ledge Estates
 Apartment Site
 Date Plotted: 03/10/18
 File No: 110708

SCALE
 1"=50'
 DRAWN BY: [Signature]





R E C O M M E N D A T I O N

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Joint Park & Recreation Committee/Board, hereby recommend to Council to create an ad hoc committee on Sturgeon Bay waterfront parks with an emphasis on beaches.

Respectfully submitted,

Park & Recreation COMMITTEE / BOARD
By: Ald Laurel Hauser Chr.

RESOLVED, that the foregoing recommendation be adopted.

Dated: Dec 12, 2018

* * * * *

Moved by Alderperson _____, seconded by Alderperson _____ that the said recommendation be adopted.

Passed by the Council on the _____ day of _____, 2018.

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the City Plan Commission, hereby recommend amending the Chapter 20 of the Municipal Code (Zoning Code) regarding Accessory Dwelling Units as attached:

Respectfully submitted,
CITY PLAN COMMISSION
By: Dennis Statz, Vice-Chairperson
Date: December 19, 2018

Introduced by _____.

Moved by Alderperson _____, seconded by
Alderperson _____ that said recommendation
be adopted.

Passed by the Council on the _____ day of _____, 2019.

ORDINANCE NO. _____

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

SECTION 1: Section 20.03 Definitions. of the Municipal Code (Zoning Code) of the City of Sturgeon Bay, Wisconsin is hereby repealed and recreated as follows:

Accessory dwelling unit: A smaller, secondary dwelling unit on the same lot as a principal dwelling. Accessory dwelling units are independently habitable and provide the basic requirements of shelter, heating, cooking and sanitation.

SECTION 2: Section 20.10(2)(c) of the Municipal Code (Zoning Code) of the City of Sturgeon Bay, Wisconsin is hereby created as follows:

(c) Accessory Dwelling Units, subject to the following:

1. Not more than one accessory dwelling unit shall be permitted on a lot.
2. Accessory dwelling units shall be allowed only on a lot having at least 7,000 square feet.
3. Accessory dwelling units shall not exceed 800 square feet in floor area and shall have a minimum floor area of 250 square feet.
4. The property owner of record must reside in either the primary dwelling unit or the accessory dwelling unit as their permanent and legal address. A restrictive agreement shall be recorded to this effect.
5. In addition to off-street parking spaces required for the primary dwelling unit, a minimum of one off-street parking space for an efficiency or one-bedroom accessory dwelling unit, or a minimum of two off-street parking spaces for a two or more bedroom accessory dwelling unit, shall be provided.
6. Short-term rental restrictions.
 - a. The accessory dwelling unit shall not be rented for periods of less than 7 consecutive days.
 - b. If the accessory dwelling unit is rented for periods of more than 6 but fewer than 29 consecutive days, the total number of days within any consecutive 365-day period that the dwelling may be rented shall not exceed 180 days. The maximum 180 days shall run consecutively within each 365-day period. The owner

of the accessory dwelling unit shall notify the city clerk in writing when the first rental within a 365-day period begins.

- c. A restrictive agreement shall be recorded to this effect.
 - d. If the property owner of record resides in the accessory dwelling unit, then these short-term rental restrictions shall apply to the primary dwelling unit.
7. The accessory dwelling unit shall not be conveyed or separated in ownership from the primary dwelling unit.
 8. The accessory dwelling unit shall comply with the Sturgeon Bay Housing Code (chapter 22 of the municipal code) and with all pertinent building codes.
 9. Accessory dwelling units may be attached to or detached from the single-family residence.
 10. Attached accessory dwelling units shall comply with the following:
 - a. The accessory dwelling unit shall be clearly incidental to the principal dwelling unit and the building's exterior shall appear to be single-family.
 - b. If the accessory dwelling unit is created from a portion of the principal dwelling unit, the floor area of the principal dwelling unit shall not be reduced below the minimum floor area required for the zoning district in which it is located.
 - c. Location of entrances. Only 1 entrance may be located on the facade of the dwelling facing the street, unless the dwelling contained additional entrances before the accessory dwelling unit was created. An exception to this regulation is entrances that do not have access from the ground such as entrances from balconies or decks.
 - d. Exterior stairs. Fire escapes or exterior stairs for access to an upper level accessory dwelling shall not be located on the front of the primary dwelling unit.
 11. Detached accessory dwelling units shall comply with the following:
 - a. The accessory dwelling unit shall be subject to the requirements of section 20.29 *Accessory building height and area regulations*.
 - b. The accessory dwelling unit shall comply with all building code regulation relating to dwellings.

- c. Floor Area. The floor area of accessory dwelling unit shall be exempted from the maximum floor area for accessory buildings on the lot.

SECTION 3: Section 20.11(2)(d) of the Municipal Code (Zoning Code) of the City of Sturgeon Bay, Wisconsin is hereby created as follows:

- (p) Accessory Dwelling Units, subject to the requirements set forth in section 20.10(2)(c).

SECTION 4: Section 20.12(2)(l) of the Municipal Code (Zoning Code) of the City of Sturgeon Bay, Wisconsin is hereby created as follows:

- (p) Accessory Dwelling Units, subject to the requirements set forth in section 20.10(2)(c).

SECTION 5: Section 20.175(2)(p) of the Municipal Code (Zoning Code) of the City of Sturgeon Bay, Wisconsin is hereby created as follows:

- (p) Accessory Dwelling Units, subject to the requirements set forth in section 20.10(2)(c).

SECTION 6: Section 20.22(2)(m) of the Municipal Code (Zoning Code) of the City of Sturgeon Bay, Wisconsin is hereby created as follows:

- (m) Accessory Dwelling Units, subject to the requirements set forth in section 20.10(2)(c).

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

Approved:

Thad Birmingham
Mayor

Attest:

Stephanie L. Reinhardt
City Clerk

Executive Summary
Accessory Dwelling Unit Ordinance
December 27, 2018

Background: An accessory dwelling unit is a smaller secondary dwelling in addition to the principal dwelling on a lot. These are often referred to as a granny flat or a mother in law apartment. The extra unit can either be a stand-alone structure or be incorporated into the principal dwelling. In Door County, such units often serve as a guest quarters.

Currently, Sturgeon Bay zoning code does not allow accessory dwelling units, unless the property is zoned for two-family residential and complies with the construction standards (square-footage, lot size, etc.). Otherwise, current zoning would allow this use through a Planned Unit Development.

The Plan Commission and Council considered this issue about one year ago. The Commission recommended approval of an ordinance, but it was not adopted by the Council. Recently, the Council referred the issue to the Plan Commission to take another look at a potential ordinance.

Nationally, ADU's have gained favor as a means of increasing the supply of affordable housing, both for the tenant and the primary homeowner. They are also touted as a means of addressing the aging population, by allowing elderly family members to live in an independent unit, but next to the rest of the family.

Door County considered this issue a few years ago and amended its zoning code in 2011 to permit this use (they call it secondary dwelling units) in all single-family residential districts. The county planner reports that there has not been any significant opposition to the new use and there have not been problems so far. Approximately $\frac{3}{4}$ of the secondary dwelling units are in detached buildings and about a quarter are attached to the main dwelling (either through an addition or dividing up the original house).

In the comprehensive plan, there are no specific recommendations for ADU's, but there are a few relevant points to consider. The plan outlines the need to maintain a diverse, high quality housing inventory that meets the needs of the community. It also outlines the need to provide adequate opportunities for housing development and redevelopment. According to the information outlined within the comprehensive plan it is within the interest of the City to investigate any opportunity that could help rehabilitate the housing stock and promote population growth/diversity.

Plan Commission Review: There was concern about the possibility of ADU's being used for short-term vacation rental. Since the Plan Commission's previous review and recommendation, the State enacted a statute that limits the authority to prohibit such short-term rentals. The previously recommended version of the ADU ordinance prohibited such short-term rentals, but the current version follows the language of the statute, whereby rental periods of less than 7 days are prohibited and rental periods of 7 to 29 days are limited to 180 days in a calendar year. The Commission has the belief

that ADU's should not become the next tourist rooming house option, but the state has limited the City's authority.

The Plan Commission also has a concern about ADU's being allowed in the R-1 district, especially given the limited authority over short-term rentals. This use may be in conflict with the district's purpose of low density dwellings. So the ADU use was dropped from that district in the proposed ordinance.

Overall, the Plan Commission recommended approval of the ADU ordinance, which allows ADU's as a conditional use subject to restrictions in the R-2, R-3, R-4, C-5, and A districts.

Options: The Council can:

- Approve the Plan Commission's recommendation (modified, if necessary). The issue would then be scheduled for a public hearing before the Council. Following the hearing the amendment would need to be approved via two readings of the proposed ordinance amendment.
- Reject the Plan Commission's recommendation. The matter would then be dropped from consideration.
- Refer the matter back to the Plan Commission. If there are substantive changes desired or if there issues that need more consideration, the Plan Commission could be directed to review this issue further.

Recommendation: Staff is in support of the Accessory Dwelling Unit ordinance creation.

Prepared by: 

Christopher Sullivan Robinson
Planner / Zoning Administrator

Date: 12-27-18

Prepared by: 

Marty Olejniczak
Community Development Director

Date: 12-27-18

ORDINANCE NO. _____

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

SECTION 1: Section 28.04 (2) of the Municipal Code (Historic Preservation Commission) is hereby repealed and recreated as follows:

(2) The mayor shall appoint all members of the commission, subject to confirmation by the city council. The commission shall include one member of the city council and six citizen members, with one being an employee of the Door County Historical Museum. If available, the following individuals shall be considered: a registered architect, an historian or architectural historian, a licensed real estate agent and an archeologist.

SECTION 2: This ordinance shall take effect on the day after its publication.

Approved:

Thad Birmingham
Mayor

Attest:

Stephanie L. Reinhardt
City Clerk

ORDINANCE NO. _____

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

SECTION 1: Section 20.03 Definitions. of the Municipal Code (Zoning Code) of the City of Sturgeon Bay, Wisconsin is hereby repealed and recreated as follows:

Accessory dwelling unit: A smaller, secondary dwelling unit on the same lot as a principal dwelling. Accessory dwelling units are independently habitable and provide the basic requirements of shelter, heating, cooking and sanitation.

SECTION 2: Section 20.10(2)(c) of the Municipal Code (Zoning Code) of the City of Sturgeon Bay, Wisconsin is hereby created as follows:

(c) Accessory Dwelling Units, subject to the following:

1. Not more than one accessory dwelling unit shall be permitted on a lot.
2. Accessory dwelling units shall be allowed only on a lot having at least 7,000 square feet.
3. Accessory dwelling units shall not exceed 800 square feet in floor area and shall have a minimum floor area of 250 square feet.
4. The property owner of record must reside in either the primary dwelling unit or the accessory dwelling unit as their permanent and legal address. A restrictive agreement shall be recorded to this effect.
5. In addition to off-street parking spaces required for the primary dwelling unit, a minimum of one off-street parking space for an efficiency or one-bedroom accessory dwelling unit, or a minimum of two off-street parking spaces for a two or more bedroom accessory dwelling unit, shall be provided.
6. Short-term rental restrictions.
 - a. The accessory dwelling unit shall not be rented for periods of less than 7 consecutive days.
 - b. If the accessory dwelling unit is rented for periods of more than 6 but fewer than 29 consecutive days, the total number of days within any consecutive 365-day period that the dwelling may be rented shall not exceed 180 days. The maximum 180 days shall run consecutively within each 365-day period. The owner

of the accessory dwelling unit shall notify the city clerk in writing when the first rental within a 365-day period begins.

- c. A restrictive agreement shall be recorded to this effect.
 - d. If the property owner of record resides in the accessory dwelling unit, then these short-term rental restrictions shall apply to the primary dwelling unit.
7. The accessory dwelling unit shall not be conveyed or separated in ownership from the primary dwelling unit.
 8. The accessory dwelling unit shall comply with the Sturgeon Bay Housing Code (chapter 22 of the municipal code) and with all pertinent building codes.
 9. Accessory dwelling units may be attached to or detached from the single-family residence.
10. Attached accessory dwelling units shall comply with the following:
- a. The accessory dwelling unit shall be clearly incidental to the principal dwelling unit and the building's exterior shall appear to be single-family.
 - b. If the accessory dwelling unit is created from a portion of the principal dwelling unit, the floor area of the principal dwelling unit shall not be reduced below the minimum floor area required for the zoning district in which it is located.
 - c. Location of entrances. Only 1 entrance may be located on the facade of the dwelling facing the street, unless the dwelling contained additional entrances before the accessory dwelling unit was created. An exception to this regulation is entrances that do not have access from the ground such as entrances from balconies or decks.
 - d. Exterior stairs. Fire escapes or exterior stairs for access to an upper level accessory dwelling shall not be located on the front of the primary dwelling unit.
11. Detached accessory dwelling units shall comply with the following:
- a. The accessory dwelling unit shall be subject to the requirements of section 20.29 *Accessory building height and area regulations*.
 - b. The accessory dwelling unit shall comply with all building code regulation relating to dwellings.

- c. Floor Area. The floor area of accessory dwelling unit shall be exempted from the maximum floor area for accessory buildings on the lot.

SECTION 3: Section 20.11(2)(d) of the Municipal Code (Zoning Code) of the City of Sturgeon Bay, Wisconsin is hereby created as follows:

- (p) Accessory Dwelling Units, subject to the requirements set forth in section 20.10(2)(c).

SECTION 4: Section 20.12(2)(l) of the Municipal Code (Zoning Code) of the City of Sturgeon Bay, Wisconsin is hereby created as follows:

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SECTION 5: Section 20.175(2)(p) of the Municipal Code (Zoning Code) of the City of Sturgeon Bay, Wisconsin is hereby created as follows:

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SECTION 6: Section 20.22(2)(m) of the Municipal Code (Zoning Code) of the City of Sturgeon Bay, Wisconsin is hereby created as follows:

- (m) Accessory Dwelling Units, subject to the requirements set forth in section 20.10(2)(c).

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

Approved:

Thad Birmingham
Mayor

Attest:

Stephanie L. Reinhardt
City Clerk

ORDINANCE NO. _____

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

SECTION 1: Section 1 1.166 (2) (b) 3 of the Municipal Code (Local Arts Board) is hereby repealed and recreated as follows:

- (2) (b) The local arts board will be appointed by the mayor subject to common council confirmation. It will be composed of representatives from the following constituencies:
 1. One member from the park and recreation board.
 2. One representative who is a professional planner, architect, or engineer.
 3. Three representatives of the local arts community to include: visual, performing and language arts, and one representative from the Miller Art Museum.

SECTION 2: This ordinance shall take effect on the day after its publication.

Approved:

Thad Birmingham
Mayor

Attest:

Stephanie L. Reinhardt
City Clerk

RESOLUTION

WHEREAS, the Common Council of the City of Sturgeon Bay has determined that it is in the best interests of the City of Sturgeon Bay to decrease the dock pass fees.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Sturgeon Bay hereby adopts the following fees:

<u>Type</u>	<u>Fee</u>
Resident Dock Pass	\$41.71 plus tax
Non Resident Dock Pass	\$69.19 plus tax

* * * * *

Introduced by _____.

Moved by Alderperson _____, seconded by Alderperson _____, that said resolution be adopted.

Passed by the Council on the _____ day of _____, 2018.

Executive Summary

Date: December 4, 2018

Title: Changing of Annual Dock Pass Fees

Background: The current fee for a resident annual dock pass is \$42.00, after taxes it is \$44.31. Non-resident fee is \$70.00, after taxes it is \$73.85. I would like to change the fees to come out to an even number. By changing this it would save an estimated eight hours per month that personnel could be doing something more worthwhile than counting change. Every day the cash box is counted by both the seasonal employee at the dock and by the Parks and Recreation Assistant every time the box changes hands. I would like to raise the resident fee to \$42.65, after taxes it would be \$45.00. For non-residents I would like to increase to \$70.14, after taxes it would be \$74.00. It is an increase of \$.65 for residents and \$.14 for non-residents. This would be an ideal time to do this since we need to order new envelopes for the docks.

Fiscal Impacts: A gain of \$733.18. This comes from 4 hours per month for one seasonal dock worker and the Parks and Recreation Assistant and additional revenue generated from the increase of fees (figured at 2018 pass sales).

Recommendation: Staff recommends increasing the annual dock pass fees to decrease the amount of time required to count the cash box on a daily basis.


Prepared By:



Mike Barker
Municipal Services Director


Date: 06 DEC 2018

Reviewed By:


Stephanie Reinhardt
City Clerk

Date: 12/7/18

Reviewed By:


Josh VanLieshout
City Administrator

Date: 12/7/18

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Community Protection and Services Committee, hereby recommend the Common Council to put forth a non-binding referendum regarding cannabis, AKA marijuana, to gage public opinion with a two-part question subject on legalization for medicinal use, and recreational use for those age twenty-one and over.

Respectfully submitted,
COMMUNITY PROTECTION AND SERVICES COMMITTEE
By: Seth Wiederanders, Committee Member

RESOLVED, that the foregoing recommendation be adopted.

Dated: December 13, 2018

Introduced by _____.

Moved by Alderperson _____, seconded by

Alderperson _____ that said recommendation be adopted.

Passed by the Council on the _____ day of _____, 2018.

Do you support the use of marijuana for medical purposes?

Yes

No

Do you support allowing adults 21 years of age and older to engage in the personal use of marijuana?

Yes

No

Executive Summary
Height Exemption for Historic-Designated Structures
December 27, 2018

Background: The Common Council referred a potential zoning code amendment for an exemption to the maximum height to the Plan Commission. On December 19th, the Plan Commission reviewed the amendment regarding a height exemption for historically designated structures. After consideration, a motion to recommend rejection of the amendment failed to pass on a 2-2 tie vote. At that time, the chair of the Commission determined to send the item back to the Council without a formal recommendation. Thus, the Council gets to decide whether to proceed with the amendment, but without the benefit of a recommendation.

The proposed code amendment would allow any structure, which is currently designated as historic by the City (under Chapter 28), State, and/or Federal Register of Historic Places to be exempt from maximum height limitation outlined in section 20.27 of municipal zoning code. If the height of the building is to be increased via modification, approval is required from the Historic Preservation Commission. In your packet is a copy of the sample language.

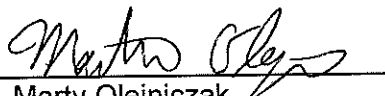
In the City, there aren't a lot of historically designated structures that exceed this height limit. The potential relocation of the grain elevator could benefit from the rule change, but that possibly could be the only instance where the code could apply. Those existing structures that don't meet height requirement are covered by nonconforming building rules and are allowed to be maintained.

In addition, zoning code also allows other means for obtaining project approval. The Planned Unit Development process allows for a custom ordinance based on the proposed development. Another option is to apply for a variance, if there is belief that there is a hardship imposed on the applicant. Staff generally sees no issue with the request because it benefits recognized historic structures, but also doesn't believe there is a clear need for pursuing a code change.

Options: The Council has the option to proceed with the ordinance amendment as presented or with changes. In this case, a public hearing would be held at a subsequent meeting along with a first reading of the ordinance. The Council can request further review by Staff if there are other items to consider. The Council can deny the draft ordinance and then the matter would be dropped.

Prepared by: 
Christopher Sullivan Robinson
Planner / Zoning Administrator

Date: 12.27.18

Reviewed by: 
Marty Olejniczak
Community Development Director

Date: 12-27-18

DRAFT ORDINANCE

12/12/18

20.27 - Height and area regulations generally.

- (1) For each lot in the R-4, C-1, C-3, C-4, and C-5 districts, the combined area of all roofed, paved, and other impervious surfaces shall not exceed 70 percent of the total area of the lot. Existing lots with impervious surfaces that exceeded 70 percent prior to adoption of this section shall be exempted from this provision provided that there shall be no further net increase of impervious surfaces on such lots.
- (2) The dimensional requirements relating to lot size, density, yards, height, and floor area shall be as specified for each zoning district in the following table:

Zoning District	Lot Size		Density			Required Yards***			Height **	Floor Area per Dwelling Unit (square feet)					
	Minimum Lot Area (square feet)	Minimum Lot Width (feet)	Minimum Lot Area per Dwelling Unit (square feet)	Single Family	Two Family	Multiple Family	Street (feet)	Side (feet)	Rear (feet)	Maximum Building Height (feet)	Single Family	Two Family	1 Bedroom	2 Bedroom	3+ Bedroom
R-1	10,000	85	10,000	—	—	25	10	25	35	1,400	—	—	—	—	—
R-2	7,500	70*	7,500	6,000#	—	25	10	25	35	800	500/1,500##	—	—	—	—
R-3	7,500	70*	7,500	6,000#	3,500	25	10	25	35	800	500/1,500##	500	750	1,000	—
R-4	8,400	70*	8,400	6,000	3,500	25	10	25	45	1,000	500/1,500	500	750	1,000	—

			0	0#							##			
R-M	7,500	65	7,500	—	—	25	10	10	35	720	—	—	—	—
C-1	8,400	70	—	—	3,500	25	10	25	45	—	—	500	750	1,000
C-2	6,000	70	—	—	3,500	15	5	25	45	—	—	500	750	1,000
C-3	8,400	70	—	—	3,500	25	10	25	45	—	—	500	750	1,000
C-4	8,400	70	—	—	—	25	10	25	45	—	—	—	—	—
C-5	7,500	70*	7,500	6,000#	3,500	20	8	25	35	800	500/ 1,500##	500	750	1,000
I-1/I-1A	25,000	100	—	—	—	40	20	25	45	—	—	—	—	—
I-2/I-2A	25,000	100	—	—	—	50	20	25	45	—	—	—	—	—
A	43,560 (1 acre)	150	43,560 (1 acre)	21,780 (½ acre)	—	40	10	25	35	1,000	800	—	—	—
CON	None	None	—	—	—	25	10	10	45	—	—	—	—	—
PUD	See section 20.24 for applicable standards													

* Within these districts, the minimum lot width shall be increased to 80 feet for lots used for two-family or multiple-family dwellings, except that the minimum lot width shall remain 70 feet for existing single-family dwellings constructed prior to Jan. 1, 2004 that are converted into two-family dwellings.

** See Section 20.27 (4) for additional height standards.

*** For lots that abut two or more streets, all sides of the lot that abut a street shall meet the street yard requirement.

Within these districts, the minimum lot area for converting an existing single-family dwelling constructed prior to January 1, 2004, into a two-family dwelling shall be 5,000 square feet per dwelling unit (10,000 square feet total).

500 square feet for the smallest dwelling unit, with a minimum 1,500 square feet combined floor area for both units.

(3) *Exceptions to yard requirements:*

(a) Within the C-2 district, where a proposed building or addition abuts an existing building on the adjoining lot (zero side yard), the minimum street yard (setback) shall be equal to the existing street yard for the adjoining building.

(b) Within the C-2 district, the minimum side yard shall be reduced to zero if an adjoining building already has a zero side yard.

(c) Within that portion of the C-2 district that is also within the Waterfront Redevelopment District, the city plan commission may, after review and recommendation by the Waterfront Design Review Board, authorize a zero side yard or a lesser street yard (setback) than required under subsection (2). The intent of this provision is to provide relief from the yard requirements in locations where it is desirable to create, recreate, or maintain a traditional downtown development pattern and character.

(d) Structures such as ramps and landings, lifts, or elevator housings designed to comply with the Americans with Disabilities Act requirements, for which there are no feasible alternative locations shall be excepted from the minimum yard requirements.

(e) Within the R-2, R-3, and C-5 districts, the minimum street yard (setback) shall be 17 feet for unenclosed appurtenances to a dwelling, such as porches, decks, balconies, and stairways.

(4) *Exceptions to height requirements:*

(a) Buildings used for agricultural purposes may exceed this height.

(b) Buildings that have been designated as historic structures on a local, state or national register of historic places shall be exempt from the maximum building height provided any increase in height is approved by the Historic Preservation Commission.

~~(4)~~(5) *Zero lot line duplexes (attached dwelling units).* In districts where two-family dwellings are allowed, such dwellings may be developed as zero lot line duplexes (attached dwellings units), subject to the following requirements:

(a) The side yard for adjoining lots identified for attached dwelling units may be zero along the common lot line, provided that:

1. Each lot shall have a minimum lot width of 40 feet and a minimum lot area of 4,000 square feet and a combined minimum lot width of 80 feet and minimum lot area of 12,000 square feet.

2. Such adjoining lots proposed for the zero side yard are held under the same ownership at the time of initial construction.

3. The adjoining side yard setback of the lot adjacent to the zero side yard setback is also zero.

4. The opposite side yard is not less than required under subsection (2).

5. Easements shall be provided across zero lot lines where necessary for water, sewer and utility services.

- (b) The construction of the dwelling units shall meet the following requirements at all times:
1. There shall be a minimum one-car enclosed garage, attached to such main building, for each unit.
 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.
- ~~(5)~~ (6) *Setback from navigable water.* All principal and accessory buildings shall be located at least 25 feet from the ordinary high water mark of all navigable water.

(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; Ord. No. 1299-0414, § 1, 4-15-14)