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# JOEL KITCHENS

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STATE REPRESENTATIVE • 1<sup>ST</sup> ASSEMBLY DISTRICT

## **Testimony for the Assembly Committee on Tourism**

### **Assembly Bill 567**

**Wednesday, Oct. 20, 2021**

Thank you Chairman Tranel and committee members for holding a public hearing and giving me the opportunity to testify on Assembly Bill 567, legislation that directs the governor to use \$750,000 in federal American Rescue Plan Act funds to rehabilitate the iconic observation tower at Potawatomi State Park in Door County.

For generations, Potawatomi State Park has been drawing hundreds of thousands of visitors every year who climb the tower to take in the spectacular views. As you will hear, our community is in near unanimous agreement that the tower should be repaired, a consensus that even cuts across party lines.

Originally constructed in 1932, it was the first tower built specifically for tourism, which gives it a historical significance that no other tower in the state can match. All the other towers at that time only served as lookouts for spotting fires.

Because it provided such a huge step in promoting tourism in Wisconsin, the Potawatomi Tower has been listed on both the State and National Register of Historic Places. We believe this unique observation tower should be treated differently than all other similar structures in the state.

Unfortunately, the tower was closed to the public in 2017 after the Department of Natural Resources found signs of decay and movement in the wooden structural support beams. After conducting a study of the structure, the DNR announced in April of 2018 that the tower would be shut down permanently and deconstructed due to safety concerns.

However, the Sturgeon Bay Historical Society Foundation felt that the DNR's study was limited to only damage and deterioration and did not provide restoration alternatives to determine the feasibility of saving the tower. The historical society then retained Wood Research and Development out of Oregon to perform a new study that included alternatives for restoration.

Dr. Dan Tingley, the executive director of the company, has since determined that the tower's main supports can be saved using a process he has developed and that the vast majority of the structure's components are in acceptable condition.

Back in May of this year, Senator Jacque, representatives of the Sturgeon Bay Historical Society and I met with Secretary Cole, Steve Little and Sean Kennedy from the DNR after they had reviewed Dr. Tingley's plan for three months. Secretary Cole opened the meeting by saying, "It's a great day for Potawatomi Tower!"

In the meeting, the DNR said that, after studying Dr. Tingley's report, they had reversed their position that the tower was beyond repair and needed to be taken down. At that time, the DNR committed to repairing the tower and said that it would not be dependent on the Legislature accepting Medicaid expansion, as the governor had proposed. They stated their intention of working with DOA to advance the plan to the Building Commission. Regrettably we are now getting mixed signals from both the DNR and Department of Administration.

Yesterday afternoon, Zach Madden, the governor's legislative affairs director, issued a statement in which he said, "It is clear that the pathway presented by Dr. Tingley is not a viable option." That is a mind boggling statement that flies in the face of the DNR's previous position.

Legally, the DNR was required to submit a fiscal estimate on this bill by September 30. They have not done that.

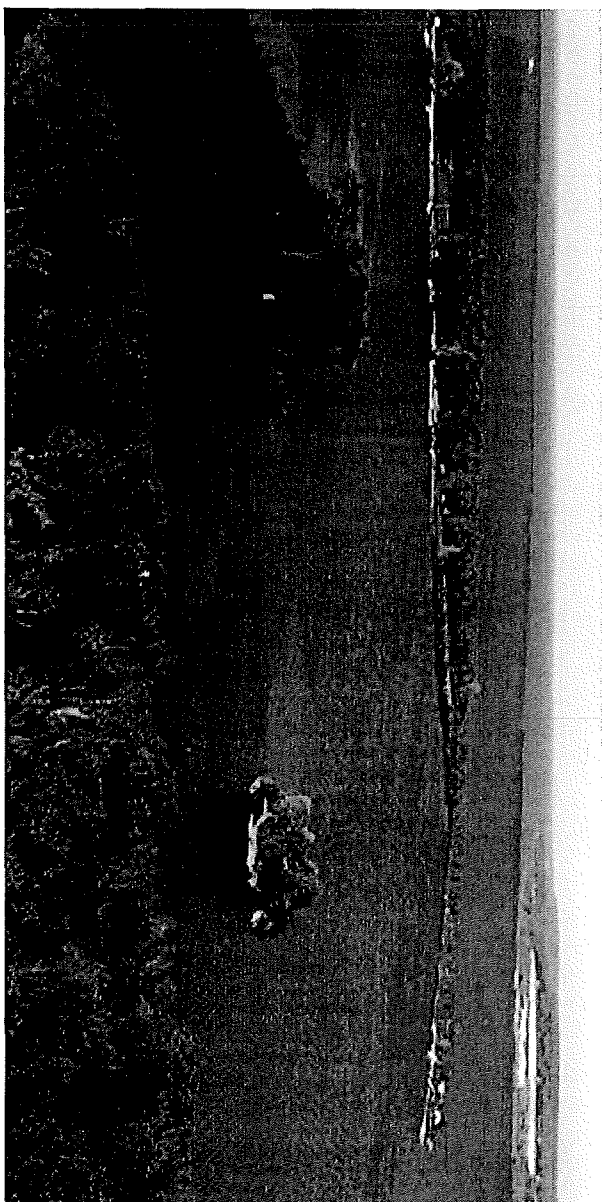
Since the Potawatomi Tower is listed on both the State and National Register of Historic Places, the DNR is legally obligated to submit a plan for its long-term preservation. They have still not done that either.

We are proposing AB 567 to help the DNR in expediting the process. Many local experts are worried that, if we don't start fixing the tower very soon, additional decay could make it impossible to save the beloved landmark.

I would also like to point out that, because this proposed project would be considered a repair and not a rebuild, the Americans with Disabilities Act does not apply here. We support disability access and we believe there are options available that can be implemented down the road, but our top priority right now must be to save the structure.

I would like to thank you for taking the time to listen to my testimony and I hope you consider supporting AB 567. I would be happy to answer any questions if you have them.





## Testimony on 2021 Assembly Bill 567

Senator Robert Cowles  
Assembly Committee on Tourism  
October 20th, 2021

Thank you, Chairman Tranel and Committee Members, for holding a hearing and allowing me to submit testimony on 2021 Assembly Bill 567. This bill would require the allocation of federal funds to repair the Potawatomi State Park tower.

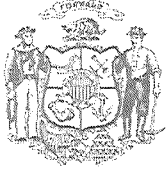
Potawatomi State Park, located near Sturgeon Bay, is one of Door County's five State Parks. It hosts ten miles of hiking trails, including the eastern trailhead of the Ice Age National Scenic Trail, across about 1,200 acres, sees more than 200,000 annual visitors on average, and contains the state's first observation tower erected for visitors. The logs that have kept this structure standing since 1932 are an example of the decades-old timber that once, and in some areas still today exist on the gently rolling terrain of the Door Peninsula. Unfortunately, for modern day visitors over the past few years, they haven't had the opportunity to enjoy views from the tower.

Since the Potawatomi State Park Observation Tower's closure, there has been a healthy debate among state officials and local advocates about whether to restore or replace the tower. One engineering report stated that the tower may need full replacement, but two subsequent reports backed the ability to repair the tower and preserve most elements of the existing structure. Noting the tower's past and supporting the push for preservation, at the end of 2020 the tower was added to the State Register of Historic Places, and similar action was taken by the federal government earlier this year when the tower was added to the National Register.

Assembly Bill 567 aims to allocate \$750,000 in federal American Rescue Plan Act (ARPA) funds for repairs to the observation tower in Potawatomi State Park. With two engineering reports and a host of local groups supporting historic restoration, the key next step needs to be funding. Supporting tourism is an allowable purpose under ARPA, and with Door County's massive outdoor recreation industry, the restoration of the Potawatomi State Park Observation Tower is certainly a tourism-based purpose. Eagle Tower in Peninsula State Park, a Door County park northeast of Potawatomi, closed in 2015 and finally just reopened earlier this year. Without action soon, the observation tower in Potawatomi State Park may be closed for even longer.

The observation tower at Potawatomi State Park remains a shining beacon in the region. Having stood tall over the tree line for decades, this tower has greeted visitors by boat and ship from the water while also welcoming visitors to Wisconsin's tenth oldest State Park. This tower has been a key point of marketing for the State Park, and has been displayed prominently on post cards and shown in pictures shared with family and friends by the visitors that have enjoyed the feat of climbing this tower and taking in the picturesque views.

By passing Assembly Bill 567, we will have the funding needed to restore the tower to its original integrity. But the funding won't just take down the 'closed' signs. With the needed repairs, we can cherish the past and promote the future of this majestic tower and reward its thousands of annual visitors for years to come.



**ANDRÉ JACQUE**

STATE SENATOR • 1<sup>ST</sup> SENATE DISTRICT

Phone: (608) 266-3512

Fax: (608) 282-3541

Sen.Jacque@legis.wi.gov

State Capitol • P.O. Box 7882

Madison, WI 53707-7882

*Testimony before the Assembly Committee on Tourism  
Senator André Jacque  
October 20, 2021*

Chair Tranel and Committee Members,

Thank you for holding this hearing on Assembly Bill 567, relating to the allocation of federal American Rescue Plan Act of 2021 funds for repairs to Potawatomi State Park observation tower.

The tower, located on the 1,200 acre Potawatomi State Park on the shore of Sturgeon Bay in southern Door County, was targeted for demolition by the DNR in 2018. The agency determined that the structure, which is now listed on both state and federal historic registries, was unsafe and would require a costly rebuild, rather than a less-expensive repair.

My goal has always been to help save this treasured landmark in a manner that preserves it for future generations and respects the history of the Potawatomi Nation. The tower has long been a big draw for local tourism, which we all know has taken a hit from the pandemic.

Today, promoting outdoor recreation and preserving our history is more important than ever. The campaign to save the Potawatomi State Park Observation Tower is an example of public engagement at its best. I want to commend local citizens, local governments and community groups, especially Christie Weber and the Sturgeon Bay Historical Society Foundation (SBHSF), for working to preserve this landmark.

I hope that we will be able to enjoy the Potawatomi Tower for years to come. Thank you for your consideration of Assembly Bill 567.

October 19, 2021

Representative Travis Tranel, Chair  
Assembly Committee on Tourism  
Room 302 North  
State Capitol  
P.O. Box 8953  
Madison, WI 53708

Representative Rob Swearingen, Vice-Chair  
Assembly Committee on Tourism  
Room 123 West  
State Capitol  
PO Box 8953  
Madison, WI 53707

Dear Members of the Assembly Committee on Tourism,

My name is Stephanie Birmingham and I am a resident of Sturgeon Bay. I am writing to express my deeply felt disappointment in Assembly Bill 567. This bill directs the governor to utilize \$750,000 of ARPA funds to repair the Potawatomi State Park observation tower in Door County. Not only is it a poor use of federal funds, it is also a direct insult to the entire disability community. I implore each and every one of you to see through the façade built by specific members of the legislature and others and recognize that Assembly Bill 567 is the result of ableism, discrimination and privilege. Please *do not* support Assembly Bill 567.

To me there seems to be two important questions to consider. First, is this about repairing the tower solely for the preservation of a physical structure, or is it about repairing the tower to preserve the physical structure *and* resume access to visitors to see the view from atop the tower? If it is about allowing visitors to be able to climb the tower, it would seem the claims made about the historical nature and uniqueness of this tower, alone, are no longer sufficient and the matter at hand has become about also salvaging an experience. A wooden tower and an experience are two entirely different things.

Let me be very clear here, as I understand and see it, preserving the tower at bare minimum would seem permissible as long as access to the top remains closed. As soon as access to the top of the tower is opened then this is no longer just about saving a historic structure, but it becomes about preserving an experience. Please do not allow the story told by supporters of this Bill and others confuse you into thinking that these are one in the same because they are simply not!

I would like to address suggestions that have been made that the tower could be repaired enough to resume tower access and a pole camera could be installed for those who are unable

to navigate the stairs to see the view at ground level. Such a proposition leads me to think this has never been solely about preserving a wooden tower and there has been an intention to keep access to the top of the tower open all along. If the view from a pole camera is good enough for *some people*, then isn't it good enough for *all people*? Think about who is being told they don't need to have the same view as everyone else – wheelchair users, older adults, individuals using strollers, walkers, crutches, persons living with obesity and likely others. A pole camera perpetuates the doctrine of 'separate but equal' which the United States Supreme Court has struck down over the years.

As a 34-year-old disabled woman who was born with a rare bone condition and has used a power wheelchair for over 30 years, I am no stranger to inaccessible places and spaces. I am also no stranger to the belief that many hold that disabled people should just be grateful for what they get. For far too long, disabled people have been told to quietly accept second-rate, substandard and second-best. For years, policies have been crafted on this notion, called *ableism*, and this bill is no exception. Ableism is "the [implicit or explicit] discrimination of and social prejudice against people with disabilities based on the belief that typical abilities are superior...[it] classifies [an] entire group of people as 'less than' and includes harmful stereotypes, misconceptions, and generalizations of people with disabilities" (Ashley Eisengmenger, AccessLiving.org).

A repair of the tower with the intent to re-open access to the top, without legitimate and complete compliance with the Americans with Disabilities Act (ADA), means that the rights of disabled people are seen as optional, unimportant and implies that the needs, desires, and wants of non-disabled people is the primary objective. The spirit and intent of the ADA was *not* to have entities approach inclusion, access, equity, and accommodations from a minimalist principle. Rather, the ADA has been an attempt to codify the truth that disabled people have civil rights, deserve protection from discrimination under the law and are valued members of our society.

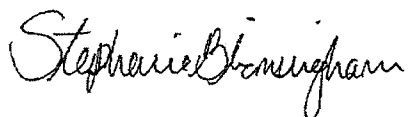
Have you taken a moment to consider the larger picture of the current condition of our State? How many phone calls have you received from your constituents looking for caregivers for their family members? Perhaps some of you have been in a long-term care facility or know someone who has been in one and witnessed the caregiving crisis first-hand? Do you receive calls and e-mails from your constituents about the lack of affordable accessible housing? How about a lack of affordable childcare? If you move this bill forward, I ask you, how will you reconcile spending \$750,000 on a wooden tower when the people you have been elected to represent struggle to access the very basics to live?

In closing, I offer a final remark about the disability community. At roughly 25%, we are the largest minority in the United States and are a group that anyone can become a part of at any point in their life. Whether it be through accident, illness, or injury, *anyone* can become disabled and if a person lives long enough, through the natural aging process, one will likely become disabled or experience a disabling condition. Any repair of the tower without equitable



access and full compliance aligned with the spirit of the ADA is not only short-sighted, but also sends a message that the human dignity and worth of disabled people does not matter. Please do not perpetuate stereotypes, outdated attitudes, discrimination and ableism because some things of history are not worth preserving!

Respectfully submitted,

A handwritten signature in cursive script that reads "Stephanie Birmingham". The signature is written in black ink and is positioned above the typed name and address.

Stephanie Birmingham  
45 West Pine Street, A  
Sturgeon Bay, WI 54235



Dear Members of the Assembly Committee on Tourism,

The Potawatomi Tower has been a beloved and iconic structure at Potawatomi State Park for 90 years. We constantly hear from visitors who share their memories of the tower and bring their families to take in the spectacular view. Its closure has left a huge void for those who visit and enjoy Potawatomi.

The Friends of Potawatomi State Park is, and has always been, in support of saving our beloved tower and fully support Assembly 567, which directs the governor to allocate American Rescue Plan Act funds to repair the tower. We believe this investment will be paid back many times over by attracting visitors to our area, while preserving an important piece of our heritage.

This tower has been bringing joy to visitors to our park for generations and we applaud the legislature for taking this important step in assuring that it continues to draw visitors for generations to come.

Sincerely,

A handwritten signature in black ink, appearing to read "S.R. Bader", followed by the date "10/18/21".

Scott R Bader, President  
Friends of Potawatomi State Park Inc  
[www.RunWild.org](http://www.RunWild.org)



a definitive cost. Any additional funds that maybe needed to cover the 2020 payroll budget, pursuant to the adoption of this resolution, will come from the payroll contingency reserve, current balance is \$3,634,307.42. STW

Certification:

JRM Last, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of October, 2020 by the Door County Board of Supervisors

JRM Last  
County Clerk, Door County



DOOR COUNTY

Table with columns: Roll Call, Board Member, Aye, Nay, Exc. Lists names: AUSTAD, BULTMAN, CHOMEAU, COUNARD, D. ENGLEBERT, R. ENGLEBERT, ENGL, FISHER, GAUGER, GUNNLAUGSSON, HEIM PETER, KHOUJ, LIENAU, LINDAHL, MERTON, ROBELLARD, TAUSCHER, VIRLEE, WILES WOTACHEK, VOGL.

BOARD ACTION

Vote Required: Majority of the Board. Motion to Approve: Aye, Nay, Exc. Date: Created: Yes, No, Exc.

Reviewed by: [Signature] City Council. Reviewed by: [Signature] Administrator.

FISCAL IMPACT: There is no fiscal implication with the adoption of this resolution. STW

Certification:

JRM Last, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of October, 2020 by the Door County Board of Supervisors

JRM Last  
County Clerk, Door County

David Lienau, Chairman

Susan Kohout

Dan Austad

Nancy Robillard

Ken Fisher

Richard Virlee

Joel Gunnlaugsson

Resolution No. 2020-85 Supporting Repair of the Potawatomi State Park Observation Tower

WHEREAS, the Potawatomi Observation Tower is the first observation tower in Wisconsin built with tourism in mind and has been serving the public since 1932; and

WHEREAS, Door County is widely known as a tourist destination, the iconic Potawatomi Tower is part of our County identity and sense of place and as such, the Tower attraction is an important landmark for our tourist economy; and

WHEREAS, the Tower has been closed since December of 2017 after a safety inspection indicated areas of concern, and the Wisconsin Department of Natural Resources original scope of work for assessing the Tower did not consider the project in a historical context; and

WHEREAS, two comprehensive studies have been conducted that show the Tower can be repaired in place, and the Town of Nasewaupsee, the City of Sturgeon Bay, and the Sturgeon Bay Historical Society have officially recognized the historic nature of the Tower and have respectfully requested that the Tower be repaired and reopened for the enjoyment of future generations.

NOW, THEREFORE, BE IT RESOLVED, that the Door County Board of Supervisors requests that the Wisconsin DNR assess the repairs needed for the Tower from a historic perspective and we encourage the DNR to repair in kind and in a timely fashion.

BE IT FURTHER RESOLVED, that the Door County Board of Supervisors directs the County Clerk to send a copy of this resolution to Wisconsin Department of Natural Resources.

SUBMITTED BY: LEGISLATIVE COMMITTEE

Bob Bultman, Chairperson

Kara Counard

Alexis Heim Peter

Erin Tauscher

Vinni Chomeau



are no funding sources available to cover the costs of continuing with the media campaign. Funding to continue would be taken from the General Contingency fund.

Motion carried by roll call vote with 20 Members voting Yes; 1 Member excused – Tauscher.

**2020-83 Approval of Inclusion under the WDETf Income Continuation Insurance Plan**

Motion by Virlee, seconded by Vlies Wotachek to approve Resolution 2020-83 - Approving the offering of the Income Continuation Insurance Program to eligible employees.

This is an employee benefit for disability. The resolution provides Door County the opportunity to participate in the program. The program is entirely run by the State and can change from year to year. Employees can decide if they want to participate. The County will need to have a certain percentage of employees participate to be in the program.

Motion carried by voice vote

**2020-84 Temporary COVID-19 Paid Leave First Responder and Public Safety Positions**

Motion by Bultman, seconded by Norton to approve Resolution 2020-84 – A resolution approving Temporary COVID-19 Paid Leave for First Responder and Public Safety positions.

CC Thomas explained going back to March certain positions (Sheriff's Office and EMS) were excluded from the Emergency Paid Sick Leave and Expanded Family Medical Leave under the Federal Families First Coronavirus Responders Act and the supplemental paid leave that was granted to General Municipal Employees. Those positions were on an emergency extended schedule at that time. It has come to the County's attention that the excluded positions should be granted something similar to what the GME's received. The resolution grants up to 2 weeks of paid leave at the employee's regular rate of pay if the employee is quarantined or is experiencing COVID-19 symptoms and is seeking medical advice. If the pay is not used by December 31, 2020 it sunsets.

Motion carried by roll call vote with 20 Members voting Yes; 1 Member excused.

**2020-85 Supporting Repair of the Potawatomi State Park Observation Tower**

Motion by Virlee, seconded by Norton to approve Resolution 2020-85 – A resolution requesting the Wisconsin Department of Natural Resources assess the repairs needed for the Tower from a historic perspective and encouragement to the DNR to repair it in kind and in a timely fashion.

Supervisor Bultman explained the resolution supports and stands in partnership with neighboring communities who have asked the DNR to look at repairing the tower. Chairman Lienau received a letter from the State Historical Society notifying the County that they are considering, at their November 20<sup>th</sup> meeting, the nomination of the tower to the Wisconsin State Register of Historic Places and National Register of Historic Places.

Motion carried by voice vote.

**Ordinances**

No ordinances were presented.

**Special Reports**

**Update on Town of Washington Project**

Administrator Pabich has communicated with the Town Chairman. The Town is interested in trying to make a decision to work with the County. The Town has hired Bayland Buildings to perform an evaluation for the town's portion of a project. The evaluation will include their current building, the 10-acre vacant parcel, and the County site. They are hoping to have a preliminary budget and scope of work by early November. Administrator Pabich will be providing a presentation on November 11<sup>th</sup> on the County project. The Town anticipates having a vote, mid-November, regarding working or not working with the County.

**New Business**

**Closed Session**

Convene into closed session pursuant to § 19.85(1)(c), Wis. Stats, for purposes of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, namely the Performance Evaluation of County Administrator Ken Pabich

**Reconvene in Open Session**

**Discussion and Decision (if any)**

The closed session was postponed to a future meeting.

**Oral Committee Reports**

No oral committee reports were presented.

**Review Committee Minutes**

Reviewed.

**Review Vouchers, Claims and Bills**

Reviewed.

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**Town of Nasewaupee**  
Town Board Meeting  
3388 Park Drive, Nasewaupee Town Hall  
June 3, 2020  
Minutes

**Call to Order**

The June 3, 2020 Nasewaupee Town Board meeting was called to order by Chairman Steve Sullivan at 4:45 p.m. at the Nasewaupee Town Hall.

**Establish a Quorum/Members Present**

Board Members present: Steve Sullivan, and Dennis Rimert. Don Sixel was absent.

Also present: Clerk Jill Lau, and public.

**Approval of Agenda**

Motion by Sullivan, seconded by Rimert to approve the agenda. Motion carried by unanimous voice vote.

**Potawatomi Park Tower**

Chairman Sullivan explained a group has requested that the Town recognize the Potawatomi Park Tower as a local historic structure. Discussion regarding the importance of the tower followed and included the Town does not have many heritage or historic designated structures and this one is iconic; the Tower was built in 1931 as one of our areas first tourist attractions and for nearly 90 years has served multiple generations as both an unique attraction and iconic symbol of our community, and the Tower is the only example of timber framed pole construction within our town.

Motion by Rimert, seconded by Sullivan to formally recognize the Potawatomi Observation Tower as a local historic structure located within the Town of Nasewaupee and Potawatomi State Park and as such the Town asks the State DNR to repair the Tower to preserve its historic integrity for future generations. Motion carried by voice vote.

**Refer to Plan Commission**

**Request to Vacate Roadway – Woldt**

Wendy Woldt requested a road vacation which requires review and recommendation by the Plan Commission.

Motion by Sullivan, seconded by Rimert to refer the request to the Plan Commission. Motion carried.

**Roads & Parks**

**Barrick Road Shoulder**

Chairman Sullivan and Supervisor Rimert agreed to flatten a portion of the ditch on Barrick Road.



Door County Historical Society  
PO Box 71 • 130 N. 4<sup>th</sup> Avenue  
Sturgeon Bay, WI 54235  
doorcountyhistory@gmail.com • 920-421-2332

For Immediate Release  
12:00PM CT on August 24, 2020

Media Contact:  
Bailey Koepsel, 920-421-2332 or doorcountyhistory@gmail.com

**Door County Historical Society Issues Statement of Support for Potawatomi State Park Tower**

The Door County Historical Society (DCHS) has been following the situation regarding the Potawatomi State Park Tower, and after discussions with the Sturgeon Bay Historical Society Foundation, the DCHS is issuing a statement of support.

Potawatomi Tower was built with the sole purpose of helping attract visitors to the newly created Potawatomi State Park and holds the distinction of being Wisconsin's first purpose-built recreational observation tower in a Wisconsin State Park, Forest, or Recreational Area.

The Door County Historical Society's mission is to keep Door County's history and heritage alive for future generations through preservation, education, and programming. The DCHS fully supports Potawatomi Tower being repaired in situ, as outlined by Dr. Dan Tingley, in order to preserve this historic outdoor recreation icon for future generations.

To tear down Potawatomi Tower would truly be a disservice to the communities of Door County and the millions of visitors that peruse the peninsula every year.

###



September 30, 2021

**RE: Rehabilitation of the Potawatomi State Park Observation Tower**

To Who It May Concern:

The historic lookout tower at Potawatomi State Park has been a significant tourist attraction for almost 80 years until its closing from deterioration. The ability to climb the tower to view the beautiful Door County landscape has delighted generations of visitors and residents.

The Door County Economic Development Corporation (DCEDC) supports the rehabilitation of this historic structure so additional generations of visitors, many who visit from outside of Wisconsin, can again admire the magnificence of this portion of Wisconsin.

The tower also enhances and expands the visitor experience when in Door County and Wisconsin thus re-enforcing their desire to return, many year-after-year. The tower is a part of the historic fabric of Door County and the State and deserves attention and restoration.

DCEDC strongly encourages the Legislature to allocate funds for rehabilitation of the existing tower immediately so that its history will not be lost forever. This tower has historic significance that we do not want to see vanish. Its rehabilitation will also contribute to economic success of Door County and the State through an enhanced visitor experience and resultant expenditures.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve R. Jenkins", is written over a circular stamp or seal that is partially obscured by the signature.

Steve R. Jenkins, CECD  
Executive Director

DESTINATION  
DOOR COUNTY

September 15, 2021

Subject: Support for the rehabilitation of Potawatomi State Park Observation Tower

To Whom It May Concern:

I am writing on behalf of our board of directors to express support for the timely rehabilitation of the historic lookout tower at Potawatomi State Park in Sturgeon Bay, Door County, Wisconsin.

This historic tower was the first observation tower in Wisconsin to be built with tourism in mind and has been serving the public since 1932.

Local community support to rehabilitate the historic tower is strong, as evidenced by resolution number 2020-85 by the Door County Board of Supervisors supporting the repair of the existing tower.

Comprehensive studies have been conducted and show the historic tower can be successfully repaired in place.

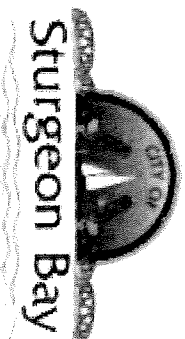
We've seen the positive impact that another reopened observation tower at Peninsula State Park has had on Door County this year, and we feel strongly that rehabilitating the existing historic observation tower at Potawatomi State Park is the most appropriate action to take. Doing so in a timely fashion would have a very positive impact on Door County.

Most Sincerely,



Jen Jarosh  
Interim CEO  
Destination Door County





421 Michigan Street • Sturgeon Bay, WI 54235  
[www.sturgeonbaywi.org](http://www.sturgeonbaywi.org)

RESOLUTION  
 of the  
 COMMON COUNCIL OF THE CITY OF STURGEON BAY  
 SUPPORTING RESTORATION OF THE POTAWATOMI STATE PARK OBSERVATION TOWER

WHEREAS, the City of Sturgeon Bay, located on the Door Peninsula is home to over 9,000 permanent residents, the seat of Door County, home to more than 19 individual parks, miles of waterfront walkways, and many miles of shoreline; and

WHEREAS, Potawatomi Park offers 1,200 acres of land with a substantial amount of open space immediately adjacent to the City with views of the bay; many residents enjoy the wonderful amenities afforded by the park year-round including hiking, snowshoeing, cross country skiing, camping, boating, and hunting; and

WHEREAS, the Potawatomi Observation Tower has been an attraction and unique aspect of the park for 88 years, allowing visitors to have an ideal view of the surrounding area; and

WHEREAS, the DNR has inspected the structure, discovered rot in a substantial number of timbers, and closed access to the public in December of 2017; in the tower's current condition, it cannot be reopened as it would subject the public to unnecessary risk; and

WHEREAS, a significant local preservation movement is currently afoot to save the tower and has hired an independent timber specialist to assess the viability of the wood on the structure; he stated that much of the wood in the tower remains in good condition; and

WHEREAS, the Town of Nascowapee has formally recognized the Potawatomi Observation Tower as a local historic structure located within the Town of Nascowapee and Potawatomi State Park and as such the Town has asked the Wisconsin Department of Natural Resources to consider repair of the tower so that it may be available for future generations; and

WHEREAS, no city funds have been requested for the restoration of the tower to address timber rot; and

WHEREAS, this is a unique attraction with an opportunity to repair without dismantling the entire structure; maintaining the historical aspects, minimizing cost, and allowing for a quicker reopening; and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Sturgeon Bay, that the City of Sturgeon Bay recognizes the entertainment and attraction value of the 90-year-old Potawatomi State Park Observation Tower and strongly encourages the State of Wisconsin and Wisconsin Department of Natural Resources to repair and reopen the Potawatomi State Park Observation Tower without cost to the city.

ATTEST:

Stephanie Reinhardt, Clerk



Williams/Gustafson to authorize the mayor to execute, effective date of the mayor's signature, a Submerged Land Lease for the Proposed Lease Area with the State of Wisconsin, Board of Commissioners of Public Lands in a form substantially similar to the draft presented, for a term of up to fifty years, with a base rental rate of Two Hundred Dollars per year for the purposes of providing recreation opportunities related to navigation and for improving navigation as presented in the agreement."

The City Administrator summarized the background related to the Submerged Lands lease and the communication with Board of Commissioners of Public Lands. Further discussion took place regarding that the lease is between the State and the City, the fee of \$200 and "recreational opportunities" was explained. Carried.

Bacon/Reeths to approve an expression of support of Ice Age Trail and City's interest in becoming a Trail Community and agree to provide the one time \$2,500 application fee. Carried.

Williams/Reeths to adopt a resolution supporting the restoration of the Potawatomi State Park Observation Tower. Discussion took place regarding the estimated repair cost, the opposing view of replacing the tower, the number of studies on the tower and ADA accessibility. Roll call vote: Bacon, Williams, and Wiederanders voted aye. Gustafson, Nault and Reeths voted no. Tie vote. Mayor voted aye. Carried.

The City Administrator gave his report.

The Mayor gave his report.

Nault/Reeths to adjourn. Roll call: All voted aye. Carried. The meeting adjourned at 8:06 p.m.

Respectfully submitted,

Stephanie L. Reinhardt  
City Clerk/HR Director

# Pot tower timeline

- 1931 built
- 2013 repaired under historic
- 2015 decommissions 72 fire towers
- 2018 Decus forestry assessment (1 day)
- 2018 mar 23 US forestry letter
- 2018 spring closed to public
- 2019 sbhs hired WRD study
- \*2019 mar. 7 Wood Research and Development Report
- 2019 nov -wisconsin register
- 2020 wisconsin parks surges amid pandemic, reports \$15m (up 21% over 2019) in pass sales
- 12% increase in visitations
- 2020 feb -national register, as first
- 2020 feb- DNR announces tear down
- siting need for Ada <https://www.wpr.org/dnr-potawatomi-state-park-observation-tower-be-torn-down>

Feb 2020: WPR/DNR news release:

The DNR's announcement on Wednesday states that the agency's legal team determined all three options would leave the tower out of compliance with the ADA.

"As such, the department has made the decision to deconstruct the existing tower and work with partners, including the Sturgeon Bay Historical Society, and the public, to explore a future, accessible observation opportunity at the park according to the park's existing master plan," said the DNR press release.

\*2020 Dec 18 DACA meeting (1)

2021mar 16 DACA (2nd)

2021: June , state will save tower gov allocates 5 m toward repair options

## **44.41 Protection and use of state agency property.**

- (1) LONG-RANGE PLANS.** Each state agency which owns listed property shall develop a long-range plan for the management, preservation and improvement of that property. The state agency shall develop the long-range plan as part of the long-range public building program under s. 13.48. The long-range plan shall, to the greatest possible extent, result in preservation of that property.
- (2) USE OF LISTED PROPERTY.** Before purchasing or constructing a building which is not a listed property, each state agency shall consider using a building which is listed property. A state agency shall use such a building to the maximum extent feasible if the building is appropriate for or can be adapted to meet the needs of the state agency, can be acquired and occupied at a cost which is within the budget of the state agency, is at an appropriate location and meets other requirements of the state agency.

**(2) PROTECTION OF LISTED PROPERTY.** If a state agency

# WRD RESPONSE TO COMMENTS BY REVIEWERS WITH REGARD TO WRD FEBRUARY 2019 INSPECTION REPORT ON THE POTAWATOMI OBSERVATION TOWER

October 20, 2021

SUBMITTED BY:

DAN TINGLEY, PhD | P.Eng. (CA) | MIEAust | CPEng | RPEQ (AU)

SIMON GONG PhD, P.E. (Wisconsin)



WOOD RESEARCH AND DEVELOPMENT

PO BOX 70

10476 Sunnyside Road, SE

Jefferson, OR 97352

503-385-8379

WOODRANDD.COM

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## 1.0 RESPONSE TO COMMENTS IN BRANDER REPORT

WRD has reviewed the comments submitted by Brander Engineering on January 21, 2020 regarding the structural evaluation and recommendations for Potawatomi Tower. We have responded to these comments expressly below.

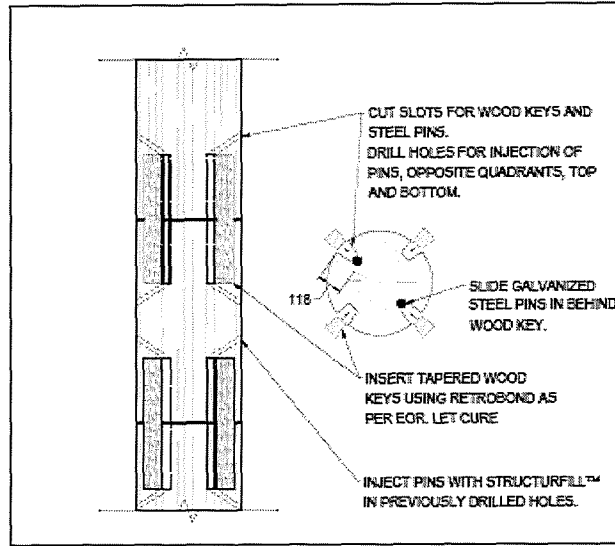
- *Concerns raised over Dr. Tingley’s proposal to install the vertical pins to align the existing and new sections of poles.*
  - *“The installation of such pins would only be applicable if the new wood pole section could be placed atop the existing pole but would not be possible to install if the new replacement section of wood pole has to be slid between existing sections. In addition, bonding the mating surfaces with epoxy raises a concern, since any moisture that migrates down through the pole will hit the impervious epoxy layer, leaving adjacent areas of wood susceptible to rot.”*

### **WRD response:**

The installation of such pins for segment posting is feasible and has been practiced by WRD on many projects across the world. Please note that the pins are embedded into slots which shall be cut into the existing and new segments. Then the slots are located behind the rotation splines (tapered wood keys) and epoxied into place. Detailed procedures can be found in the Figure 1 below. See in Figure 1-1 a series of photos showing a segment posting on a tall tower both at the base and mid height of a column.

To control the decay in timber elements due to moisture content, it is common practice to install borate salt diffusers at locations where they are vulnerable to moisture. The borate rods brine at the same moisture content as decay commences and neutralizes the acidic pH wave released by fungi hyphae. Diffusers can be used to treat existing decay or installed in high-risk areas. Each diffuser can prevent or stop decay within 6” from the diffuser site radially (thus requiring a rod spacing of 12” typically). The Condition State Report by WRD, as submitted to Sturgeon Bay Historical Society, details the proposed diffuser locations which includes the areas of concern.



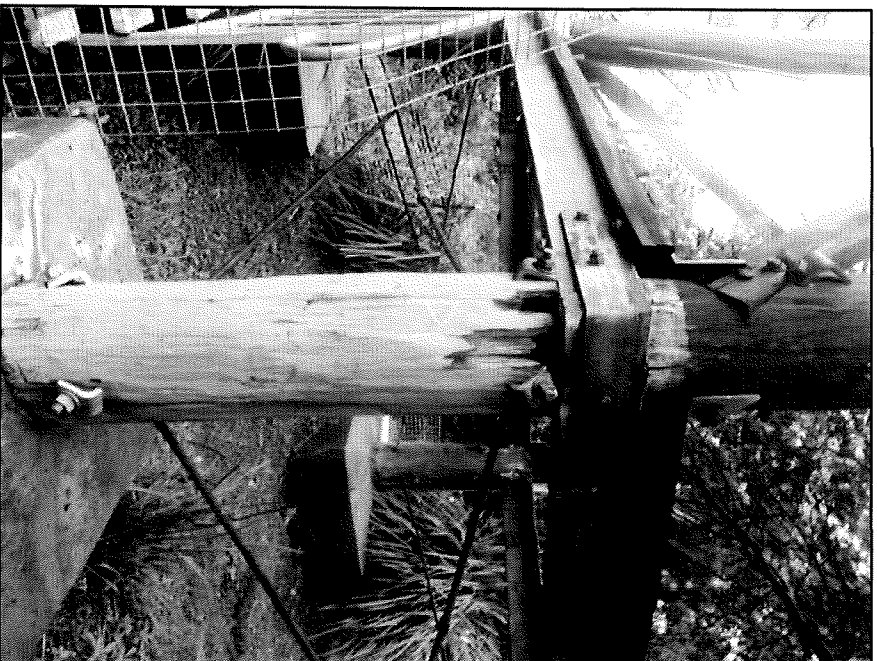


3 - SEGMENT POSTING

To

Figure 1: Segment posting details

WRD RESPONSE TO POTAWATOMI OBSERVATION TOWER



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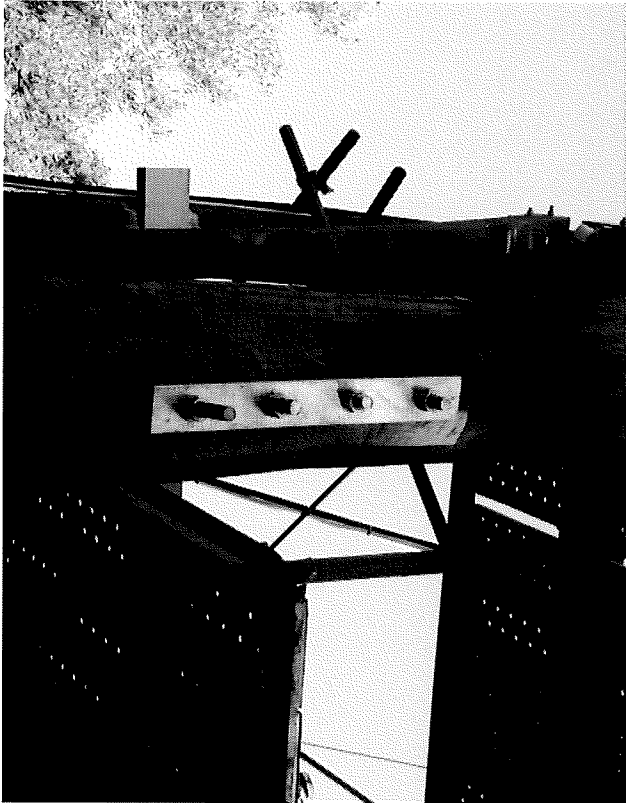


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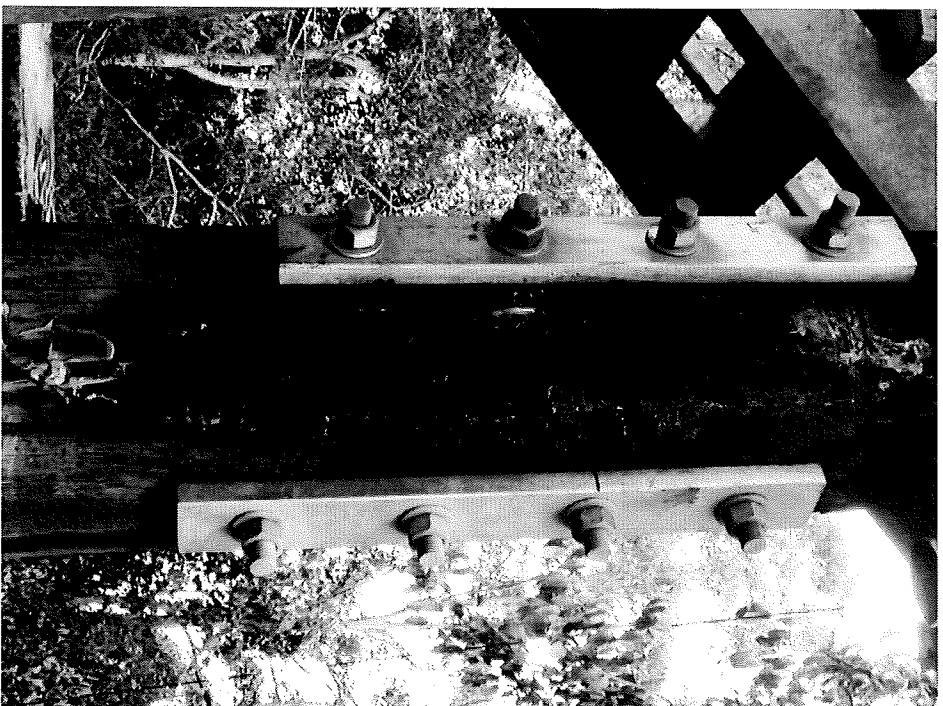


WRD RESPONSE TO POTAWATOMI OBSERVATION TOWER





WRD RESPONSE TO POTAWATOMI OBSERVATION TOWER





**Figure 1-1 Sequence of photos showing segment posting in a column in a timber tower both at the base and mid height. Mt Allen Fire Tower. Decay damage was caused by through brackets and heavy solids painting of the columns as well as embedment in concrete foundations.**

- *Skepticism and question of Dr. Tingley's methods and their application to an observation tower.*
  - *"Brander was not able to find information regarding repairs to similar timber open-air structures, let alone observation towers. Much of the published information regarding timber pole reinforcement or repair is related to utility poles or wood timber piles that support shore piers. Such reinforcement is usually in the form of covering the pole with a carbon fiber wrap or jacketing the pole and injecting the space between the pole and the jacket with epoxy. These repair techniques would not be feasible for the tower, given that the tie-rod collars and the attached platform framing would prevent continuous wrapping or jacketing along the length of the pole without major shoring to allow temporary detachment of platform framing and collars."*

**WRD response:**

WRD has previous experience restoring this type of structure across the world (Table 1). Our past projects have proved both posting and wrapping techniques can be utilized to achieve a proper full design load strengthening of degraded elements. The Jimna Tower, Australia which is the tallest free-standing tower in the Southern Hemisphere is an example of an almost identical structure where the design by WRD adopted similar techniques as proposed for the Potawatomi Tower. Furthermore, the posting of piles of rail bridges using similar techniques can be seen across North America. Some photos of selected projects using similar column posting techniques can be found in Appendix.

**Table 1: Selected projects done by WRD using column posting techniques**

	Year	Height	Country
Waaje Tower	2020	30.8 m	Australia
Jimna Tower	2019	47 m	Australia
Mt Allen Tower	2014	10 m	Australia
Washington Island Tower	Ongoing	12 m	United States

The method of wrapping and injecting with epoxy can be used where the extent of decay is limited and the risk of wood fibers crushing parallel to grain is low. The application of the wrap can also have heritage consequences, be more costly than replacement of column segments and require more maintenance as the wraps do not allow the moisture content of the wood to equilibrate with the relative environmental conditions.

Temporary shoring is needed, as specified by the WRD drawings. As the stability of the structure and the safety of all personnel remains the responsibility of the contractor, WRD intends to liaise with the contractor to develop a shoring strategy that meets all relevant workplace health and safety requirements and is also economical and within the limitations of the contractor, who is yet to be nominated. A full structural analysis of the shoring strategy shall be conducted and documented accordingly prior to the commencement of work and offered for review. Maintaining stability during the temporary disconnection of components such as platforms, collars and bracing elements is possible and any such work will be accounted for in the analysis and documentation of the shoring strategy.

- *Concern raised over the potential for lead based coatings on the existing tower and need for remediation.*
  - *“The coatings on the existing wood members of the tower have not been tested for lead. Depending on how extensive such coatings may be, costs for abatement could*

*become significant, since the work would require that the member be shrouded during coating removal and the debris properly disposed of.”*

**WRD response:**

Lead abatement can be completed easily after lead test are completed to establish if this an issue.

- *What is most telling in the Brander Report is the tower elevation sketches (Attachment 4). The sketches clearly illustrates the elements that need to be replaced. This tells a very different story than Dr. Tingley’s report, much more in line with the findings of the Forest Products Laboratory. It is also worth noting that in the area where the Tingley report was absent of review – the platforms and stairs – the Brander Report shows that all of the stairs need to be replaced, almost all if not all of the floor joists need to be replaced and a significant percentage of the platforms need to be replaced as well.*

**WRD response:**

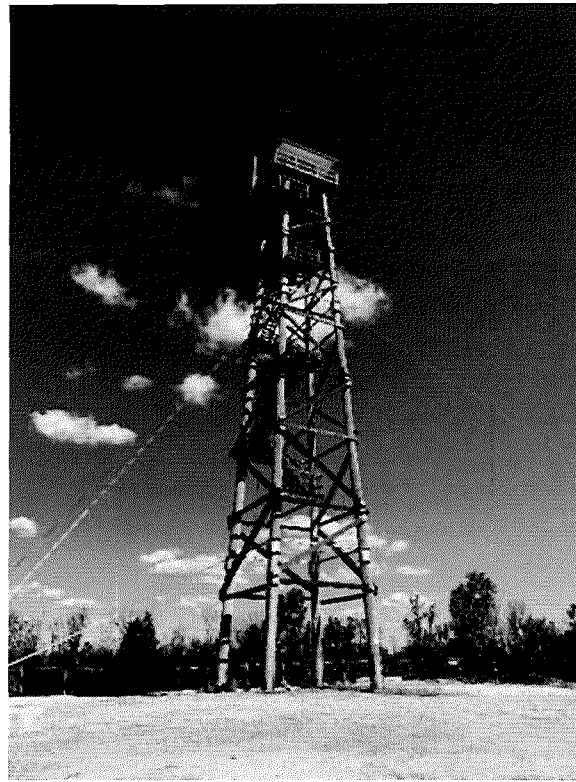
The focus of the WRD investigation was of the primary structural members, the tower legs. Secondary members such as the floor joists and stairs do not play a significant role in providing stability to the tower. Replacement of floor joists and staircases do not warrant the demolition of the structure.

Sincerely,

Dan Tingley Ph.D., P. Eng. (Canada), MIEAust, CPEng, RPEQ  
Senior Wood Technologist & Timber Structures Engineer

Simon Gong Ph.D., P.E. (Wisconsin)  
Timber Engineer  
Wood Research and Development

2.0 APPENDIX



**Waaje Tower and columns posted at the bottom**

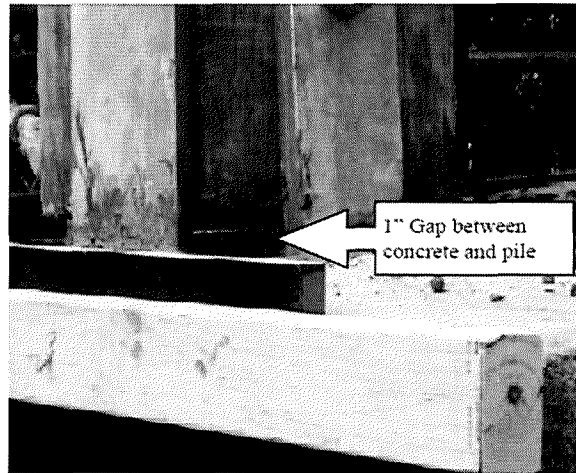


**Jimna Tower and column posted at the bottom**

WRD RESPONSE TO POTAWATOMI OBSERVATION TOWER



**Top of new pile section**



**Bottom of new pile section**

**Mt. Allen Fire Tower and partial segment posting**





**Washington Island Tower**