

City of Sheboygan
2019-12-16

BJLMPQ5AAE35

EIGHTEENTH REGULAR COMMON COUNCIL MEETING AGENDA - 6:00 P.M.

"CELEBRATE THE TRADITION OF GIVING, THE BEAUTY OF THE SEASON AND A NEW YEAR OF PEACE AND HAPPINESS" Notice of the 18th Regular Meeting of the 2019-2020 Common Council at 6:00 p.m., MONDAY, December 16, 2019, in City Hall, 3rd Floor - Council Chambers, 828 Center Avenue, Sheboygan, WI. Persons with disabilities who need accommodations to attend the meeting should contact Meredith DeBruin at the City Clerk's Office, 828 Center Avenue, (920) 459-3361 as soon as possible.

This meeting may be viewed LIVE on Charter Spectrum Channel 990, AT&T U-Verse Channel 99 and www.wcsssheboygan.com/vo

1. OPENING OF MEETING

1.1 ROLL CALL - Alderperson Bohren may attend meeting remotely

1.2 PLEDGE OF ALLEGIANCE

1.3 APPROVAL OF MINUTES

1.4 MAYOR'S APPOINTMENTS - Four individuals to the Harbor Centre Business Improvement District Board

ATTACHMENT: Appointments Harbor Centre.pdf

1.5 CONFIRMATION OF MAYOR'S APPOINTMENTS - Robert Heimerl to the Architectural Review Board

ATTACHMENT: Heimerl.pdf

1.6 CONFIRMATION OF MAYOR'S APPOINTMENTS - Election Inspectors for the two-year term beginning January 1, 2020 and ending December 31, 2021

ATTACHMENT: Election Inspectors.pdf

1.7 HOLIDAY PROGRAM - Jerry Messner formerly with the "Buffalo Joe Band" and currently a member of the new group "Born in a Barn"

1.8 PUBLIC FORUM - Limit of five people having five minutes each with comments limited to items on this agenda.

1.9 MAYOR'S ANNOUNCEMENTS - UPCOMING COMMUNITY EVENTS, PROCLAMATIONS, EMPLOYEE RECOGNITIONS (Certificate of Commendation presented to Corey Clemens, City of Sheboygan Fire Department)

2. HEARING

2.1 Hearing No. 3-19-20 pursuant to a notice published by the City Clerk, there is a hearing scheduled for this evening to repeal and recreate Section 15.905 and Subsection 15.908(1) of the City of Sheboygan Zoning Ordinance (SZO), so as to amend certain portions thereof so as to clarify any ambiguities in the Municipal Code relating to Conditional Use Permits, to incorporate into the Municipal Code established past practices of the Plan Commission relative

to Conditional Uses, and to conform the Municipal Code to 2017 Wis. Act 67 and Sec. 62.23(7)(de), Wis. Stats.

ATTACHMENT: SZO HEARING.pdf

3. CONSENT AGENDA

3.1 MOTION TO RECEIVE AND FILE ALL RO'S, RECEIVE ALL RC'S AND ADOPT ALL RESOLUTIONS AND ORDINANCES

3.2 R. O. No. 114-19-20 by City Clerk submitting various license applications (4T2).

ATTACHMENT: License Applications (4T2 Property Services).pdf

3.3 R. O. No. 115-19-20 by City Attorney submitting, as a matter of record, the following storm sewer easements which have been recorded in the Sheboygan County Register of Deeds Office.

ATTACHMENT: Storm Sewer Easements.pdf

3.4 R. C. No. 201-19-20 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 102-19-20 by City Clerk submitting various license applications; recommends granting the licenses.

ATTACHMENT: R. O. No. 102-19-20.pdf

3.5 R. C. No. 202-19-20 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to R. O. No. 113-19-20 by City Clerk submitting various license applications; recommends amending R. O. No. 113-19-20 to list Taxicab Drivers License application #3014 (Deanna M. Preston) to be listed as "NEW" and not "RENEWAL" and granting licenses on amended R. O. with various caveats.

ATTACHMENT: R. O. No. 113-19-20.pdf

3.6 R. C. No. 203-19-20 by Finance and Personnel Committee to whom was referred Res. No. 121-19-20 by Alderpersons Donohue and Bohren authorizing the appropriate City officials to execute the Agreement for Transit Service Between the City of Sheboygan and City of Sheboygan Falls; recommends adopting the Resolution.

ATTACHMENT: Res. No. 121-19-20.pdf

3.7 R. C. No. 204-19-20 by Finance and Personnel Committee to whom was referred Res. No. 123-19-20 by Alderpersons Donohue and Bohren authorizing the appropriate City officials to execute the Agreement for Transit Service Between the City of Sheboygan and the Village of Kohler; recommends adopting the Resolution.

ATTACHMENT: Res. No. 123-19-20.pdf

3.8 R. C. No. 205-19-20 by Finance and Personnel Committee to whom was referred Res. No. 124-19-20 by Alderpersons Donohue and Bohren expressing the intent of the Common Council of the City of Sheboygan to exercise its police powers in levying a special assessment for the 2019 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 1; recommends adopting the Resolution.

ATTACHMENT: Res. No. 124-19-20.pdf

3.9 R. C. No. 206-19-20 by Finance and Personnel Committee to whom was

referred Res. No. 125-19-20 by Alderpersons Donohue and Bohren expressing the intent of the Common Council of the City of Sheboygan to exercise its police powers in levying a special assessment for the 2019 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 2; recommends adopting the Resolution.

ATTACHMENT: Res. No. 125-19-20.pdf

3.10 R. C. No. 207-19-20 by Finance and Personnel Committee to whom was referred Res. No. 126-19-20 by Alderpersons Donohue and Bohren expressing the intent of the Common Council of the City of Sheboygan to exercise its police powers in levying a special assessment for the 2019 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 4; recommends adopting the Resolution.

ATTACHMENT: Res. No. 126-19-20.pdf

3.11 R. C. No. 208-19-20 by Finance and Personnel Committee to whom was referred Res. No. 127-19-20 by Alderpersons Donohue and Bohren expressing the intent of the Common Council of the City of Sheboygan to exercise its police powers in levying a special assessment for the 2019 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 5; recommends adopting the Resolution.

ATTACHMENT: Res. No. 127-19-20.pdf

3.12 R. C. No. 209-19-20 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 129-19-20 by Alderpersons Sorenson and Mitchell authorizing the chief of police to enter into a Memorandum of Understanding between Public Safety Cadets and the Sheboygan Police Department for the purpose of participating in the youth mentorship program established by Public Safety Cadets; recommends adopting the Resolution.

ATTACHMENT: Res. No. 129-19-20.pdf

3.13 R. C. No. 210-19-20 by Public Works Committee to whom was referred Res. No. 131-19-20 by Alderpersons Wolf and Sorenson authorizing the emergency repair of an underground electrical feeder and related equipment at the Eighth Street Draw Bridge; recommends adopting the Resolution.

ATTACHMENT: Res. No. 131-19-20 8th street bridge.pdf

3.14 R. C. No. 211-19-20 by Public Works Committee to whom was referred Res. No. 132-19-20 by Alderpersons Wolf and Sorenson authorizing the appropriate City officials to execute a Memorandum of Understanding with the Ellwood H. May Environmental Park Association of Sheboygan County, Inc. ("MPA") regarding the terms and conditions of the City's financial support of the MPA from January 1, 2020 through December 31, 2024; recommends adopting the Resolution.

ATTACHMENT: Res. No. 132-19-20.pdf

ATTACHMENT: Signed Memorandum Of Understanding.pdf

4. REPORT OF OFFICER

4.1 R. O. No. 116-19-20 by City Plan Commission to whom was referred Res. No. 118-19-20 by Alderpersons Wolf and Donohue adopting the final River Bend Neighborhood Master Plan; recommends adopting the Resolution. RECEIVE THE R. O. AND ADOPT THE RESOLUTION

ATTACHMENT: Res. No. 118-19-20.pdf

4.2 R. O. No. 117-19-20 by City Plan Commission to whom was referred Gen. Ord. No. 35-19-20 by Alderpersons Bohren and Wolf repealing and recreating Subsection 15.935(1)(a) of the City of Sheboygan Zoning Ordinance ("SZO") so as to eliminate the residency requirements for membership on the Architectural Review Board; recommends adopting the Ordinance. LAYS OVER

ATTACHMENT: Gen. Ord. No. 35-19-20.pdf

4.3 R. O. No. 118-19-20 by City Plan Commission to whom was referred Gen. Ord. No. 36-19-20 by Alderpersons Bohren and Wolf creating Subsection 15.936(1)(L) of the City of Sheboygan Zoning Ordinance ("SZO") so as to add an architectural review fee; recommends adopting the Ordinance. LAYS OVER

ATTACHMENT: Gen. Ord. No. 36-19-20.pdf

4.4 R. O. No. 119-19-20 by City Clerk submitting an application from Jack Collier, Rogers Behavioral Health, for a change in zoning classification of property located at 1108 South Wildwood Avenue (Parcel #59281215710) from Class Urban Industrial (UI) to Class Suburban Office (SO). REFER TO CITY PLAN COMMISSION

ATTACHMENT: rezone ro.pdf

4.5 R. O. No. 120-19-20 by City Clerk submitting a claim from Anna Stacie DeSantos for alleged injuries when she fell due to a lip in the sidewalk on Lakeshore Drive. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: DeSantos claim.pdf

4.6 R. O. No. 121-19-20 by City Clerk submitting a claim from Kathleen E. Kist for alleged damages to her vehicle when it was involved in a collision with a City of Sheboygan vehicle. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: Kist claim.pdf

4.7 R. O. No. 122-19-20 by City Clerk submitting a pending claim from Heuer Law Offices, S.C. on behalf of American Family Mutual Insurance Company for alleged damages to their client's (Mollie R. Leffin) insured vehicle caused by an automobile collision involving a City of Sheboygan vehicle. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: Heuer.pdf

4.8 R. O. No. 123-19-20 by City Clerk submitting a Summons and Complaint in the matter of Cincinnati Insurance Company a/s/o Steve and Audrey Simons vs City of Sheboygan et al. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: Summons and Complaint.pdf

5. RESOLUTIONS

5.1 Res. No. 133-19-20 by Alderpersons Wolf and Donohue authorizing entering into a Tentative Agreement with the Sheboygan Professional Police Officers Association for a successor contract. SUSPEND THE RULES AND ADOPT THE RESOLUTION

ATTACHMENT: Sheboygan Professional Police Officers Association.pdf

5.2 Res. No. 134-19-20 by Alderpersons Wolf and Donohue authorizing entering into a Tentative Agreement with the Sheboygan Professional Police Officers' Supervisory Association for a successor contract. SUSPEND THE RULES AND ADOPT THE RESOLUTION

ATTACHMENT: Sheboygan Professional Police Officers Supervisory.pdf

5.3 Res. No. 135-19-20 by Alderpersons Sorenson and Mitchell authorizing the acceptance of monies from Acuity Insurance in the amount of \$1,000.00. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

ATTACHMENT: FIRE.pdf

5.4 Res. No. 136-19-20 by Alderpersons Sorenson and Mitchell authorizing the appropriate City officials to enter into a contract to license FireTEAM Testing from Ergometrics & Applied Personnel Research, Inc. for pre-employment testing of applicants seeking employment with the City of Sheboygan Fire Department. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

ATTACHMENT: FireTEAM Testing.pdf

5.5 Res. No. 137-19-20 by Alderpersons Wolf and Sorenson authorizing a Relocation Order in the City of Sheboygan, Sheboygan County, Wisconsin. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: Relocation Order transportaion.pdf

5.6 Res. No. 138-19-20 by Alderpersons Wolf and Donohue authorizing the Mayor to execute the 2020 General Contract between Sheboygan County Health & Human Services Department and Shoreline Metro regarding transportation for elderly and disabled individuals. REFER TO TRANSIT COMMISSION

ATTACHMENT: TRANSIT.pdf

6. REPORT OF COMMITTEES

6.1 R. C. No. 212-19-20 by Finance and Personnel Committee to whom was referred Res. No. 119-19-20 by Alderpersons Donohue and Bohren authorizing the Purchasing Agent to issue a purchase order for the purchase of three (3) Emergency Response Rated Sport Utility Vehicles for the Sheboygan Fire Department to be assigned to the Fire Chief and Two Assistant Fire Chiefs; recommends adopting the Resolution. RECEIVE THE R. C. AND ADOPT THE RESOLUTION

ATTACHMENT: Res. No. 119-19-20.pdf

6.2 R. C. No. 213-19-20 by Finance and Personnel Committee to whom was referred Res. No. 120-19-20 by Alderpersons Donohue and Bohren authorizing retaining outside legal counsel to represent the City in the matter of the Petition for Review of Determination by State Board of Assessors for Manufacturing Property (Notice of Determination dated March 20, 2019) by Georgia Pacific Corrugated LLC, and authorizing payment for said services; recommends adopting the Resolution. RECEIVE THE R. C. AND ADOPT THE RESOLUTION

ATTACHMENT: Res. No. 120-19-20.pdf

6.3 R. C. No. 214-19-20 by Finance and Personnel Committee to whom was referred Res. No. 122-19-20 by Alderpersons Donohue and Bohren pursuant to Sec. 82-32 and 82-33, Sheboygan Municipal Code, adopting changes to the classification plan and the list of classes and class specifications effective

January 1, 2020; recommends adopting the Resolution. RECEIVE THE R. C. AND ADOPT THE RESOLUTION

ATTACHMENT: Res. No. 122-19-20.pdf

6.4 R. C. No. 215-19-20 by Finance and Personnel Committee to whom was referred Res. No. 128-19-20 by Alderpersons Donohue and Bohren authorizing entering into a Development Agreement with Oscar Apartments LLC; recommends adopting the Resolution. RECEIVE THE R. C. AND ADOPT THE RESOLUTION

ATTACHMENT: Res. No. 128-19-20.pdf

ATTACHMENT: Signed Development Agreement.pdf

6.5 R. C. No. 216-19-20 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 130-19-20 by Alderpersons Sorenson and Mitchell approving the New Housing Fee Report as required by 2017 Wisconsin Act 243; recommends adopting the Resolution. RECEIVE THE R. C. AND ADOPT THE RESOLUTION

ATTACHMENT: Res. No. 130-19-20.pdf

6.6 R. C. No. 217-19-20 by Licensing, Hearings, and Public Safety Committee to whom was referred Gen. Ord. No. 37-19-20 by Alderpersons Bohren and Wolf creating a new subsection (b)(6) in Section 2-428 of the Municipal Code so as to exempt members of the Architectural Review Board from the residency requirement; recommends adopting the Ordinance. RECEIVE THE R. C. AND ADOPT THE ORDINANCE

ATTACHMENT: Gen. Ord. No. 37-19-20.pdf

7. GENERAL ORDINANCES

7.1 Gen. Ord. No. 38-19-20 by Alderperson Dekker amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification of property located at 1108 South Wildwood Avenue (Parcel #59281215710) from Class Urban Industrial (UI) to Class Suburban Office (SO) Classification. REFER TO CITY PLAN COMMISSION

ATTACHMENT: rezone ord..pdf

7.2 Gen. Ord. No. 39-19-20 by Alderpersons Sorenson and Mitchell amending various sections of Article III, Chapter 26, Sheboygan Municipal Code, so as to require a license for installation and repair, etc., of low voltage installations in commercial buildings and providing a fee for certain inspections and re-inspections for such installations. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

ATTACHMENT: require license for voltage installations.pdf

7.3 Gen. Ord. No. 40-19-20 by Alderpersons Wolf and Sorenson re-establishing the bulkhead line along a portion of Broughton Drive north of the Sheboygan River in the City of Sheboygan. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: Bulkhead Line Broughton Dr. Sheb. River.pdf

8. MATTERS LAID OVER

8.1 R. O. No. 106-19-20 by City Plan Commission to whom was referred Gen. Ord. No. 32-19-20 by Alderpersons Bohren and Wolf repealing and recreating Section 15.905 and Subsection 15.908 (1) of the City of Sheboygan Zoning Ordinance (SZO), so as to amend certain portions thereof so as to clarify any

ambiguities in the Municipal Code relating to Conditional Use Permits, to incorporate into the Municipal Code established past practices of the Plan Commission relative to Conditional Uses, and to conform the Municipal Code to 2017 Wis. Act 67 and Sec. 62.23(7)(de), Wis. Stats., recommends receiving the R. O. and adopting the Ordinance. RECEIVE THE R. O. AND ADOPT THE ORDINANCE

ATTACHMENT: RO 106.pdf

9. OTHER MATTERS AUTHORIZED BY LAW

9.1 R. O. No. 124-19-20 by City Clerk submitting various license applications (Ackerman). REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

ATTACHMENT: referred.pdf

10. ADJOURN MEETING

10.1 Motion to Adjourn

In compliance with Wisconsin's Open Meetings Laws, this agenda was posted in the following locations more than 24 hours prior to the time of the meeting:

City Hall

Mead Public Library

Sheboygan County Administration Building

City's website