

CITY OF SHEBOYGAN

SEVENTEENTH REGULAR COMMON COUNCIL MEETING

Monday, December 3, 2018

ALDERPERSONS PRESENT: Todd Wolf, Jim Bohren, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell - 8 .

ALDERPERSONS ABSENT AND EXCUSED: Mary Lynne Donohue and Rosemarie Trester - 2 .

Meeting called to order at 6: 00 p.m.

1. OPENING OF MEETING

1.1 ROLL CALL

1.2 PLEDGE OF ALLEGIANCE

1.3 APPROVAL OF MINUTES

MOTION TO APPROVE MINUTES Motion by Todd Wolf, second by Jim Bohren.

Final Resolution:

Motion Passes Aye: Todd Wolf, Jim Bohren, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell - 8. 1.4

PRESENTATION - A year in Review of Neighborhood Revitalization Activities by Chad Pelishek, Department of City Development

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

1.6 MAYOR'S ANNOUNCEMENTS - UPCOMING COMMUNITY EVENTS, PROCLAMATIONS, EMPLOYEE RECOGNITIONS

2. CONSENT AGENDA

2.1 MOTION TO ACCEPT AND FILE ALL RO'S, ACCEPT AND ADOPT ALL RC'S AND PASS ALL RESOLUTIONS AND ORDINANCES

Resolution:

MOTION TO ACCEPT AND FILE ALL RO'S, ACCEPT AND ADOPT ALL RC'S AND PASS ALL RESOLUTIONS AND ORDINANCES Motion by Todd Wolf, second by Jim Bohren.

Final Resolution:

Motion Passes Aye: Todd Wolf, Jim Bohren, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell- 8.

2.2 R. O. No. 182 - 18 - 19 by City Clerk granting various license applications. ACCEPT AND FILE

Resolution:

MOTION TO ACCEPT AND FILE Motion by Todd Wolf, second by Jim Bohren.

Final Resolution:

Motion Passes Aye: Todd Wolf, Jim Bohren, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell - 8 .

2.3 R. C. No. 190 - 18 - 19 by Licensing, Hearings, and Public Safety Committee to whom was referred, pursuant to R. O. No. 168 - 18 - 19 by City Clerk, submitting various license applications; recommends denying Beverage Operator License Application No. 2490 (Juwaun M. Jackson) based upon his record of violations related to the licensed activity, his history as a repeat law offender, and his failure to cooperate with the committee. ACCEPT AND FILE

Resolution:

MOTION TO ACCEPT AND FILE Motion by Todd Wolf, second by Jim Bohren.

Final Resolution:

Motion Passes Aye: Todd Wolf, Jim Bohren, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell - 8 .

2.4 R. C. No. 191 - 18 - 19 by Licensing, Hearings, and Public Safety Committee to whom was referred, pursuant to R. O. No. 151 - 18 - 19 by the City Clerk, submitting various license applications; recommends denying Taxicab Driver License Application No. 9790 (Constance B. Butts) based upon her record of violations related to the licensed activity and her failure to cooperate with the committee. ACCEPT AND FILE

Resolution:

MOTION TO ACCEPT AND FILE Motion by Todd Wolf, second by Jim Bohren.

Final Resolution:

Motion Passes Aye: Todd Wolf, Jim Bohren, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell - 8 .

2.5 R. C. No. 192 - 18 - 19 by Finance and Personnel Committee to whom was referred R. O. No. 174 - 18 - 19 by the Finance Director submitting a financial report of the City of Sheboygan for the period commencing January 1, 2018 and

ending September 30, 2018 ; recommends to file the document. ACCEPT AND FILE

Resolution:

MOTION TO ACCEPT AND FILE Motion by Todd Wolf, second by Jim Bohren.

Final Resolution:

Motion Passes Aye: Todd Wolf, Jim Bohren, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell - 8 .

2.6 R. C. No. 193 - 18 - 19 by Licensing, Hearings, and Public Safety Committee to whom was referred, pursuant to R. O. No. 181 - 18 - 19 by the City Clerk, submitting various license applications; recommends granting the licenses. ACCEPT AND FILE

Resolution:

MOTION TO ACCEPT AND FILE Motion by Todd Wolf, second by Jim Bohren.

Final Resolution:

Motion Passes Aye: Todd Wolf, Jim Bohren, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell - 8 .

2.7 R. C. No. 194 - 18 - 19 by Finance and Personnel Committee to whom was referred Res. No. 128 - 18 - 19 by Alderpersons Rindfleisch and Bohren authorizing entering into a Tentative Agreement with the International Association of Fire Fighters Local 483 for a successor contract; recommends to file the document. ACCEPT AND FILE

Resolution:

MOTION TO ACCEPT AND FILE Motion by Todd Wolf, second by Jim Bohren.

Final Resolution:

Motion Passes Aye: Todd Wolf, Jim Bohren, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell - 8 .

2.8 R. C. No. 195 - 18 - 19 by Finance and Personnel Committee to whom was referred Res. No. 130 - 18 - 19 by Alderpersons Rindfleisch and Bohren authorizing the Finance Director to execute the Wisconsin Statement Debt Collection Agreement by and between the Wisconsin Department of Revenue and the City of Sheboygan with regard to debt collection services; recommends to approve the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

Resolution:

MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTION Motion by Todd Wolf, second by Jim Bohren.

Final Resolution:

Motion Passes Aye: Todd Wolf, Jim Bohren, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell - 8 .

2.9 R. C. No. 196 - 18 - 19 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 131 - 18 - 19 by Alderpersons Donohue and Sorenson authorizing application for the Criminal Justice, JAG Drug Task Forces (2017) Grant Solicitation for 2019 Operations; recommends approving the Resolution.

ACCEPT AND ADOPT AND PASS RESOLUTION

Resolution:

MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTION Motion by Todd Wolf, second by Jim Bohren.

Final Resolution:

Motion Passes Aye: Todd Wolf, Jim Bohren, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell - 8 .

2.10 R. C. No. 197 - 18 - 19 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 132 - 18 - 19 by Alderpersons Donohue and Sorenson authorizing application for the Criminal Justice, Law Enforcement Drug Trafficking Response (2019) Grant Solicitation; recommends approving the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

Resolution:

MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTION Motion by Todd Wolf, second by Jim Bohren.

Final Resolution:

Motion Passes Aye: Todd Wolf, Jim Bohren, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell - 8 .

2.11 R. C. No. 198 - 18 - 19 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 133 - 18 - 19 by Alderpersons Donohue and Sorenson authorizing application for 2019 Wisconsin Justice System Improvement, Beat Patrol - Overtime, Grant Solicitation; recommends approving the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

Resolution:

MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTION Motion by Todd Wolf, second by Jim Bohren.

Final Resolution:

Motion Passes Aye: Todd Wolf, Jim Bohren, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell - 8 .

2.12 R. C. No. 199 - 18 - 19 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 134 - 18 - 19 by Alderpersons Donohue and Sorenson authorizing application for 2019 Wisconsin Justice System Improvement, Beat Patrol Grant Solicitation; recommends approving the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

Resolution:

MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTION Motion by Todd Wolf, second by Jim Bohren.

Final Resolution:

Motion Passes Aye: Todd Wolf, Jim Bohren, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell - 8 .

2.13 R. C. No. 200 - 18 - 19 by Public Works Committee to whom was referred

Res. No. 135 - 18 - 19 by Alderperson Wolf authorizing the appropriate City Officials to enter into a revised State/Municipal Agreement (revised date November 8, 2018), I.D. 4996 - 01 - 72 / 73 for the reconstruction of Superior Avenue from N. Taylor Drive to N. 29 th Street; recommends approving the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

Resolution:

MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTION Motion by Todd Wolf, second by Jim Bohren.

Final Resolution:

Motion Passes Aye: Todd Wolf, Jim Bohren, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell - 8 .

2.14 R. C. No. 201 - 18 - 19 by Public Works Committee to whom was referred Res. No. 136 - 18 - 19 by Alderperson Wolf authorizing the appropriate City Officials to enter into a revised State/Municipal Agreement (revised date November 1, 2018), I.D. 4996 - 01 - 78 / 79 / 80 / 81 for the reconstruction of North Avenue from Calumet Drive to N. 15 th Street; recommends approving the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

Resolution:

MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTION Motion by Todd Wolf, second by Jim Bohren.

Final Resolution:

Motion Passes Aye: Todd Wolf, Jim Bohren, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell - 8 .

### 3. REPORTS OF OFFICERS

3.1 R. O. No. 183 - 18 - 19 by City Clerk submitting a Notice of Claim from Joe Burgarino regarding alleged damages to his transportation scooter when it hit a water service shutoff stop box protruding from the sidewalk. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.2 R. O. No. 184 - 18 - 19 by Director of Human Resources submitting a letter for Diversified Benefit Services, Inc. regarding their services as a Third Party Administrator ("TPA") to provide Section 125 - Flexible Benefit Plan services for the health plan sponsored by the City of Sheboygan. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.3 R. O. No. 185 - 18 - 19 by Director of Human Resources submitting a letter from Diversified Benefit Services, Inc. regarding their services administering the requirements of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) and/or state insurance continuation on behalf of the City of Sheboygan and its group health program. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.4 R. O. No. 186 - 18 - 19 by City Clerk submitting a communication from

Robert J. Pasquest, II, on behalf of Badger State Lofts, LP, requesting an encroachment surrounding the property located at 1031 Maryland Avenue (South 10th Street) for purposes of construction and vehicular and pedestrian ingress and egress (with landscaping). REFER TO CITY PLAN COMMISSION

3.5 R. O. No. 187 - 18 - 19 by City Clerk submitting a communication from Robert J. Pasquest, II, on behalf of Badger State Lofts, LP, requesting an encroachment surrounding the property located at 1031 Maryland Avenue (South 11th Street) for purposes of continuing overhang of the existing building. REFER TO CITY PLAN COMMISSION

3.6 R. O. No. 188 - 18 - 19 by City Clerk submitting a communication from Robert J. Pasquest, II, on behalf of Badger State Lofts, LP, requesting an encroachment surrounding the property located at 1031 Maryland Avenue (Maryland Avenue) for purposes of parking, construction, and vehicular and pedestrian ingress and egress. REFER TO CITY PLAN COMMISSION

3.7 R. O. No. 189 - 18 - 19 by City Clerk submitting a communication from Robert J. Pasquest, II, on behalf of Badger State Lofts, LP, requesting an encroachment surrounding the property located at 1031 Maryland Avenue (South 11th Street) for purposes of parking, construction, and vehicular and pedestrian ingress and egress. REFER TO CITY PLAN COMMISSION

#### 4. RESOLUTIONS

4.1 Res. No. 138 - 18 - 19 by Alderperson Bohren authorizing the appropriate City officials to execute an Easement Agreement between Badger State Lofts, LP and the City of Sheboygan, Wisconsin, regarding the property located near 1031 Maryland Avenue, Sheboygan, Wisconsin. REFER TO CITY PLAN COMMISSION

4.2 Res. No. 139 - 18 - 19 by Alderpersons Rindfleisch and Bohren authorizing the City to enter into a renewal agreement for managed transplant program coverage with Optum for the calendar year 2019. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.3 Res. No. 140 - 18 - 19 by Alderperson Rindfleisch and Bohren authorizing the City to enter into a renewal agreement for medical stop-loss insurance with Sun Life for coverage during 2019. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.4 Res. No. 141 - 18 - 19 by Alderpersons Rindfleisch and Bohren authorizing the appropriate City officials to enter into contract with United Health Care (UMR) to provide administration services for the City's medical health benefit

plan for calendar year 2019. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.5 Res. No. 142 - 18 - 19 by Alderpersons Rindfleisch and Bohren authorizing the appropriate City officials to enter into renewal agreement with Delta Dental to administer dental benefit plan services for the City for calendar years 2019 and 2020. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.6 Res. No. 143 - 18 - 19 by Alderperson Wolf authorizing the appropriate City officials to execute an Underground Electric Easement to Wisconsin Power and Light Company with regard to Parcel Identification Number 59281108031. REFER TO PUBLIC WORKS COMMITTEE

4.7 Res. No. 144 - 18 - 19 by Alderperson Wolf authorizing the appropriate City officials to execute an Underground Electric Easement to Wisconsin Power and Light Company with regard to Parcel Identification Numbers 59281107420 and 59281107440. REFER TO PUBLIC WORKS COMMITTEE

## 5. REPORT OF COMMITTEES

5.1 R. C. No. 203 - 18 - 19 by Finance and Personnel Committee to whom was referred Res. No. 129 - 18 - 19 by Alderpersons Rindfleisch and Bohren adopting the 2019 City of Sheboygan Compensation Program for Non-Represented employees; recommends to approve the Resolution with amendments to the compensation program. ACCEPT AND ADOPT AND PASS RESOLUTION

MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTION Motion by Ron Rindfleisch, second by Jim Bohren.

Final Resolution:

Motion Passes Aye: Todd Wolf, Jim Bohren, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell - 8 .

5.2 R. C. No. 202 - 18 - 19 by Public Works Committee to whom was referred Res. No. 137 - 18 - 19 by Alderpersons Wolf and Sorenson authorizing the appropriate City Officials to enter into a contract or contracts to obtain trees and tree planting services to replace street trees in the City of Sheboygan; recommends approving the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTION Motion by Todd Wolf, second by Ryan Sorenson Before action was taken, motion to change " 7 days" in Article 10 and Article 11 of the contract with Property Solutions Contracting LLC to " 21 days". Motion by Todd Wolf, second by Markus Savaglio.

Final Resolution:

Motion Passes Aye: Todd Wolf, Jim Bohren, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell - 8 .

MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTION AS AMENDED

Final Resolution:

Motion Passes Aye: Todd Wolf, Jim Bohren, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell

5.3 R. C. No. 204 - 18 - 19 by Licensing, Hearings, and Public Safety Committee to whom was referred Gen. Ord. No. 26 - 18 - 19 by Alderpersons Donohue and Sorenson repealing and recreating Section 26 - 227 and 26 - 262 of the Municipal Code relating to fees for electrical inspections, so as to increase re-inspection fees and reduce standard fees so as to better reflect the actual costs of the electrical inspection program; recommends to approve the Ordinance. ACCEPT AND ADOPT AND PASS ORDINANCE

MOTION TO ACCEPT AND ADOPT AND PASS ORDINANCE Motion by Ryan Sorenson, second by Ron Rindfleisch.

Final Resolution:

Motion Passes Aye: Todd Wolf, Jim Bohren, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell - 8 .

6. GENERAL ORDINANCE

6.1 Gen. Ord. No. 27 - 18 - 19 by Alderperson Bohren repealing Resolution No. 457 - 83 - 84, Gen. Ord. No. 216 - 88 - 89, and Gen. Ord. No. 110 - 92 - 93 relating to the grants of encroachment privileges. REFER TO CITY PLAN COMMISSION

6.2 Gen. Ord. No. 28 - 18 - 19 by Alderperson Bohren granting Badger State Lofts, LP, its successors and assigns, the privilege of encroaching upon described portions of South 10 th Street located at 1031 Maryland Avenue in the City of Sheboygan for the purpose of construction and vehicular and pedestrian ingress and egress (with landscaping). REFER TO CITY PLAN COMMISSION

6.3 Gen. Ord. No. 29 - 18 - 19 by Alderperson Bohren granting Badger State Lofts, LP, its successors and assigns, the privilege of encroaching upon described portions of South 11 th Street located at 1031 Maryland Avenue in the City of Sheboygan for the purpose of continuing overhang of the existing building. REFER TO CITY PLAN COMMISSION

6.4 Gen. Ord. No. 30 - 18 - 19 by Alderperson Bohren granting Badger State Lofts, LP, its successors and assigns, the privilege of encroaching upon described portions of Maryland Avenue located at 1031 Maryland Avenue in the City of Sheboygan for the purpose of parking, construction, and vehicular and pedestrian ingress and egress. REFER TO CITY PLAN COMMISSION

6.5 Gen. Ord. No. 31 - 18 - 19 by Alderperson Bohren granting Badger State Lofts, LP, its successors and assigns, the privilege of encroaching upon described portions of South 11 th Street located at 1031 Maryland Avenue in the City of Sheboygan for the purpose of parking, construction, and vehicular and pedestrian ingress and egress. REFER TO CITY PLAN COMMISSION

## 7. OTHER MATTERS RECEIVED AFTER THE AGENDA WAS PUBLISHED

7.1 R. O. No. 190 - 18 - 19 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

7.2 Res. No. 145 - 18 - 19 by Alderpersons Donohue and Sorenson authorizing the appropriate City officials to execute the Agreement for Use of Subscription Material between the Sheboygan Fire Department and Lexipol, LLC, with regard to fire policy manual and daily training bulletins. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

7.3 Gen. Ord. No. 32 - 18 - 19 by Alderperson Rindfleisch amending Section 82 - 33 of the Sheboygan Municipal Code so as to amend the positions in the Fire Department Table of Organization. REFER TO FINANCE AND PERSONNEL COMMITTEE

## 8. ADJOURN MEETING

### 8.1 Motion to Adjourn

MOTION TO ADJOURN AT 6: 26 P.M. Motion by Todd Wolf, second by Jim Bohren.  
Final Resolution:  
Motion Passes Aye: Todd Wolf, Jim Bohren, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell - 8 .

Generated by City Clerk Meredith DeBruin on Tuesday, December 4, 2018