

CITY OF SHEBOYGAN

THIRTEENTH REGULAR COMMON COUNCIL MEETING AGENDA

Monday, October 1, 2018

ALDERPERSONS PRESENT: Todd Wolf, Mary Lynne Donohue, Ryan Sorenson, Ron Rindfleisch, Dean Dekker, Rose Phillips, Trey Mitchell - 7 .

ALDERPERSONS ABSENT AND EXCUSED: Rosemarie Trester, Markus Savaglio, Jim Bohren - 3 .

Meeting called to order at 6: 06 PM (when quorum was reached)

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 Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Ryan Sorenson, Ron Rindfleisch, Dean Dekker, Rose Phillips, Trey Mitchell - 7 .

1.4 PRESENTATION - Dementia Crisis Care Task Force of Sheboygan County Report, Mary Pitsch, Founder of Embrace Care Management & Managed Home Care

1.5 PUBLIC FORUM - Limit of five people having five minutes each with comments limited to items on this agenda. - No one spoke.

1.6 MAYOR'S APPOINTMENTS - Bryan Mohoric, Andrea Mace, Jean Grade and Beth Counard to the Mayor's Neighborhood Leadership Cabinet.

LAYS OVER

1.7 CONFIRMATION OF MAYOR'S APPOINTMENTS - Paul Aparicio and CJ Grace to the Mayor's Neighborhood Leadership Cabinet

MOTION TO CONFIRMMotion by Todd Wolf, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Ryan Sorenson, Ron Rindfleisch, Dean Dekker, Rose Phillips, Trey Mitchell - 7 .

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

2. HEARINGS

2.1 Hearing No. 4 - 18 - 19 pursuant to a notice published and personal notices sent by the City Clerk, there is a hearing scheduled for this evening to amend the City of Sheboygan Future Land Use Map of the City's Comprehensive Plan in order to change the Land Use Classification of property located at 1436 South 15 th Street from Class Employment to Class Multi-Family Residential Classification.

No one spoke.MOTION TO CLOSE HEARINGMotion by Todd Wolf, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Ryan Sorenson, Ron Rindfleisch, Dean Dekker, Rose Phillips, Trey Mitchell - 7 .

2.2 Hearing No. 5 - 18 - 19 pursuant to a notice published and personal notices sent by the City Clerk, there is a hearing scheduled for this evening to amend the City of Sheboygan Official Zoning Map to change the Use District Classification of property located at 1436 South 15 th Street from Class Urban Industrial (UI) to Class Urban Residential (UR- 12) Classification.

David Adamavich spoke.MOTION TO CLOSE HEARINGMotion by Todd Wolf, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Ryan Sorenson, Ron Rindfleisch, Dean Dekker, Rose Phillips, Trey Mitchell - 7 .

3. CONSENT AGENDA

3.1 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 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 Mary Lynne Donohue.
Final Resolution:
Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Ryan Sorenson, Ron Rindfleisch, Dean Dekker, Rose Phillips, Trey Mitchell - 7 .

3.2 R. C. No. 142 - 18 - 19 by Finance and Personnel Committee to whom was referred various claims; recommends filing the claims. ACCEPT AND FILE

Resolution:
MOTION TO ACCEPT AND FILE Motion by Todd Wolf, second by Mary Lynne Donohue.
Final Resolution:
Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Ryan Sorenson, Ron Rindfleisch, Dean Dekker, Rose Phillips, Trey Mitchell - 7 .

3.3 R. C. No. 143 - 18 - 19 by Licensing, Hearings, and Public Safety Committee to whom was referred, pursuant to R. O. No. 121 - 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 Mary Lynne Donohue.
Final Resolution:
Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Ryan Sorenson, Ron Rindfleisch, Dean Dekker, Rose Phillips, Trey Mitchell - 7 .

3.4 R. C. No. 149 - 18 - 19 by Public Works Committee to whom was referred Gen. Ord. No. 18 - 18 - 19 by Alderperson Wolf amending Sections 122 - 403, 122 - 404, and 122 - 405 of the Municipal Code relating to sewers and sewerage disposal so as to make changes to service charges; recommends approving the Ordinance. ACCEPT AND ADOPT AND PASS ORDINANCE

Resolution:
MOTION TO ACCEPT AND ADOPT AND PASS ORDINANCE Motion by Todd Wolf, second by Mary Lynne Donohue.
Final Resolution:
Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Ryan Sorenson, Ron Rindfleisch, Dean Dekker, Rose Phillips, Trey Mitchell - 7 .

3.5 R. O. No. 134 - 18 - 19 by City Clerk granting various license applications. ACCEPT AND FILE

Resolution:
MOTION TO ACCEPT AND FILE Motion by Todd Wolf, second by Mary Lynne Donohue.
Final Resolution:
Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Ryan Sorenson, Ron Rindfleisch, Dean Dekker, Rose Phillips, Trey Mitchell - 7 .

4. REPORTS OF OFFICERS

4.1 R. O. No. 122 - 18 - 19 by City Plan Commission to whom was referred Gen. Ord. No. 17 - 18 - 19 by Alderperson Rindfleisch and R. O. No. 118 - 18 - 19 by City Clerk for an application from Guske Electric Inc. for a change in the zoning classification of property located at 3411 Lakeshore Road from Class Urban Industrial (UI) to Class Suburban Industrial (SI) Classification; recommends approval of the General Ordinance and R. O. LAYS OVER

4.2 R. O. No. 123 - 18 - 19 by City Administrator, as part of the budget process, submitting the listing of the Estimated Unreserved Fund Balances at December 31, 2019 and outstanding debt as of December 31, 2018. LAYS OVER

4.3 R. O. No. 124 - 18 - 19 by City Clerk submitting a claim from Robert Kimmer for alleged damages to his basement due to a sewer backup. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.4 R. O. No. 125 - 18 - 19 by City Clerk submitting a communication from Michael C. Szente requesting a waiver from the Sex Offender Residency requirements in order to reside at Superior Manor. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

4.5 R. O. No. 126 - 18 - 19 by City Clerk submitting a communication from George Harris requesting a waiver from the Sex Offender Residency requirements in order to reside at Superior Manor, 1424 North 10 th Street. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

4.6 R. O. No. 127 - 18 - 19 by City Clerk submitting a communication from Jane Wiensch requesting a waiver from the Sex Offender Residency requirements in order to reside at 1124 B Erie Avenue. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

4.7 R. O. No. 128 - 18 - 19 by City Clerk submitting a communication from Bradley Curler requesting a waiver from the Sex Offender Residency requirements in order to reside at Superior Manor - 1427 North 10 th Street. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

4.8 R. O. No. 129 - 18 - 19 by City Clerk submitting a communication from Stephen Grimm requesting a waiver from the Sex Offender Residency requirements in order to reside at Superior Manor - 1427 North 10 th Street. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

4.9 R. O. No. 130 - 18 - 19 by City Clerk submitting a communication from Johnathan Pirwitz requesting a waiver from the Sex Offender Residency requirements in order to reside at 2606 Eisner Avenue. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

4.10 R. O. No. 131 - 18 - 19 by City Clerk submitting a communication from Jesse Allen requesting a waiver from the Sex Offender Residency requirements in order to reside at 1116 North 15 th Street. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

4.11 R. O. No. 132 - 18 - 19 by City Clerk submitting a communication from Gustave K. Benson requesting a waiver from the Sex Offender Residency requirements in order to reside at 3402 Wilgus Avenue. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

4.12 R. O. No. 133 - 18 - 19 by City Clerk submitting a communication from Tylor Thompson requesting a waiver from the Sex Offender Residency requirements in order to reside at 3402 Wilgus Avenue. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

5. RESOLUTIONS

5.1 Res. No. 101 - 18 - 19 by Alderpersons Rindfleisch and Bohren authorizing a transfer of appropriations in the 2018 Budget (Adopt-A-Beach). REFER TO FINANCE AND PERSONNEL COMMITTEE

5.2 Res. No. 102 - 18 - 19 by Alderperson Wolf authorizing the Purchasing Agent to enter into contract for the purchase of (1) Full Size Four-Wheel Drive Pickup Truck and (1) Full Size Two-Wheel Drive Pickup Truck for the Department of Public Works. REFER TO PUBLIC WORKS COMMITTEE

5.3 Res. No. 103 - 18 - 19 by Alderperson Wolf authorizing the filing of an application with the United States of America Department of Transportation and authorizing the executing of the contract pertaining to grants for calendar year 2019, under former Section 9 (USC 5307) of the Federal Transit Act of 1964, as amended. REFER TO TRANSIT COMMISSION

6. REPORT OF COMMITTEES

6.1 R. C. No. 144 - 18 - 19 by Public Works Committee to whom was referred Res. No. 95 - 18 - 19 by Alderperson Wolf authorizing the Purchasing Agent to enter into contract for the purchase and installation of new baseball park lighting

for the Wildwood/Sheboygan A's Mary Testwuide Knauf Baseball Park complex on a cost share basis with the Sheboygan A's baseball organization; recommends approving the Substitute Resolution. ACCEPT AND ADOPT AND PASS SUBSTITUTE RESOLUTION

MOTION TO ACCEPT AND ADOPT AND PASS SUBSTITUTE RESOLUTION with 2 additional changes. First, the portion of the 14 th Whereas Clause refers to a loan from the City of Sheboygan Athletic Club shall be revised to state: "payment to the City of nineteen (19) payments of One Thousand Three Hundred Thirty Three and 55 / 100 Dollars (\$1,333.55) on a monthly basis, beginning in November 2018 and ending in May 2020, and one (1) payment of Twenty Seven Thousand Four Hundred Sixty Seven and 99 / 100 Dollars (\$27,467.99) in June 2020, which represents the payment of Fifty One Thousand Five Hundred and 00 / 100 Dollars (\$51,500.00) in principal, plus interest at the rate of two percent (2 %) per annum; and"The agreement with the Sheboygan Athletic Club shall be revised to give effect to this change.Second, the completion date in the contract with Altmeyer Electric, Inc. which is attached to the Resolution shall be revised to January 15, 2019.Motion by Todd Wolf, second by Mary Lynne Donohue.
Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Ryan Sorenson, Ron Rindfleisch, Dean Dekker, Rose Phillips, Trey Mitchell - 7 .

6.2 R. C. No. 145 - 18 - 19 by Finance and Personnel Committee to whom was referred Res. No. 98 - 18 - 19 by Alderpersons Rindfleisch and Bohren providing for the sale of approximately \$5,100,000 General Obligation Refunding Bonds and approximately \$3,650,000 General Obligation Refunding Bonds; recommends approving the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTIONMotion by Ron Rindfleisch, second by Todd Wolf.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Ryan Sorenson, Ron Rindfleisch, Dean Dekker, Rose Phillips, Trey Mitchell - 7 .

6.3 R. C. No. 146 - 18 - 19 by Finance and Personnel Committee to whom was referred Res. No. 99 - 18 - 19 by Alderpersons Rindfleisch and Bohren authorizing a transfer of appropriations in the 2018 Budget (K- 9, Fire Department, and Sale of Metal); recommends approving the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTIONMotion by Todd Wolf, second by Ron Rindfleisch.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Ryan Sorenson, Ron Rindfleisch, Dean Dekker, Rose Phillips, Trey Mitchell - 7 .

6.4 R. C. No. 147 - 18 - 19 by Finance and Personnel Committee to whom was referred Res. No. 100 - 18 - 19 by Alderpersons Rindfleisch and Bohren authorizing a transfer of appropriations in the 2018 Budget (AARP Grant); recommends approving the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTION Motion by Ron Rindfleisch, second by Todd Wolf.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Ryan Sorenson, Ron Rindfleisch, Dean Dekker, Rose Phillips, Trey Mitchell - 7 .

6.5 R. C. No. 148 - 18 - 19 by Finance and Personnel Committee to whom was referred R. C. No. 86 - 18 - 19 and R. C. No. 291 - 17 - 18 by Finance and Personnel Committee and R. O. No. 272 - 17 - 18 by City Clerk submitting a claim from WIPFLi CPAs and Consultants regarding Creation and Preservations Partners, Inc. for recovery of alleged unlawful taxes for real property taxes assessed for the 2017 tax year; recommends filing the document. ACCEPT AND FILE

MOTION TO ACCEPT AND FILE Motion by Ron Rindfleisch, second by Todd Wolf.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Ryan Sorenson, Ron Rindfleisch, Dean Dekker, Rose Phillips, Trey Mitchell - 7 .

7. GENERAL ORDINANCE

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

7.2 Gen. Ord. No. 20 - 18 - 19 by Alderperson Wolf creating timed parking limits on the west side of South 8 th Street between New Jersey Avenue and Virginia Avenue. REFER TO PUBLIC WORKS COMMITTEE

8. MATTERS LAID OVER

8.1 R. O. No. 117 - 18 - 19 by City Plan Commission to whom was referred Gen. Ord. No. 15 - 18 - 19 by Alderperson Sorenson amending the City of Sheboygan Future Land Use Map of the Sheboygan Comprehensive Plan to change the Land Use Classification of property located at 1436 South 15 th Street (Parcel No. 59281513391) from Class Employment to Class Multi-Family Residential; recommends approving the Substitute Ordinance. ACCEPT AND FILE AND PASS SUBSTITUTE ORDINANCE

MOTION TO ACCEPT AND FILE AND PASS THE SUBSTITUTE ORDINANCE Motion by Todd Wolf, second by Ryan Sorenson.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Ryan Sorenson, Ron Rindfleisch, Dean Dekker, Rose Phillips, Trey Mitchell - 7 .

8.2 R. O. No. 116 - 18 - 19 by City Plan Commission to whom was referred R. O. No. 108 - 18 - 19 by City Clerk and Gen. Ord. No. 16 - 18 - 19 by Alderperson

Sorenson amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification of 1436 South 15 th Street (Parcel No. 59281513391) from Class Urban Industrial (UI) to Class Urban Residential (UR- 12); recommends to accept and file the R. O. and approve the Substitute Ordinance. ACCEPT AND FILE AND PASS SUBSTITUTE ORDINANCE

MOTION TO ACCEPT AND FILE AND PASS SUBSTITUTE ORDINANCE Motion by Todd Wolf, second by Ryan Sorenson.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Ryan Sorenson, Ron Rindfleisch, Dean Dekker, Rose Phillips, Trey Mitchell - 7 .

9. OTHER MATTERS RECEIVED AFTER THE AGENDA WAS PUBLISHED

9.1 Res. No. 104 - 18 - 19 by Alderpersons Donohue and Sorenson authorizing the appropriate City officials to execute the Evidence.com Prosecutor Services Agreement by and between Axon Enterprise, Inc. and the City of Sheboygan with regard to the use of Axon Enterprise, Inc. products and services.

REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

9.2 R. O. No. 135 - 18 - 19 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

9.3 Motion to reconsider Res. No. 93 - 18 - 19. MOTION TO RECONSIDER RES. NO. 93 - 18 - 19 Motion by Ron Rindfleisch, second by Todd Wolf.

Final Resolution:

Motion Fails Aye: Todd Wolf, Ron Rindfleisch, Trey Mitchell - 3 Nay: Mary Lynne Donohue, Ryan Sorenson, Dean Dekker, Rose Phillips - 4 .

9.4 ONLY TO BE CONSIDERED IF

9.3 PASSES. Res. No. 93 - 18 - 19 by Alderperson Wolf extending the special charge for residential garbage and refuse disposal services provided by the City. - No consideration due to agenda item

9.3 motion failing.

10. CLOSED SESSION

10.1 MOTION TO CONVENE IN CLOSED SESSION under the exemption provided in Sec. 19.85 (1)(e), Wis. Stats., where competitive or bargaining reasons require a closed session regarding possible purchase of public property owned by Union Pacific Railroad.

MOTION TO CONVENE IN CLOSED SESSION Motion by Todd Wolf, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Ryan Sorenson, Ron Rindfleisch, Dean Dekker, Rose Phillips, Trey Mitchell - 7 .

11. ADJOURN MEETING

11.1 Motion to Adjourn

MOTION TO ADJOURN at 7: 13 p.m.Motion by Todd Wolf, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Ryan Sorenson, Ron Rindfleisch, Dean Dekker, Rose Phillips, Trey Mitchell - 7 .

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