

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

"A POSITIVE ATTITUDE GIVES YOU POWER OVER YOUR CIRCUMSTANCES INSTEAD OF YOUR CIRCUMSTANCES HAVING POWER OVER YOU" Notice of the 10th Regular Meeting of the 2018-2019 Common Council at 6:00 p.m., MONDAY, AUGUST 20, 2018, at the Sheboygan County Courthouse, 5th Floor, 615 N. 6th St., Sheboygan, WI. Persons with disabilities who need accommodations to attend the meeting should contact Meredith DeBruin at the City Clerk's Office, 606 North 9th Street, (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/programming/live-tv

1. OPENING OF MEETING

1.1 ROLL CALL

1.2 PLEDGE OF ALLEGIANCE

1.3 APPROVAL OF MINUTES

1.4 PRESENTATION - "2017 Flight for Life Scene Call of the Year Award" to the City of Sheboygan Fire Department

1.5 MAYOR'S APPOINTMENTS - Thomas A. Binder to the Mayor's Neighborhood Leadership Cabinet

ATTACHMENT: Binder appointment.pdf

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

1.7 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

2.2 R. O. No. 100-18-19 by Board of Contractors Examiners submitting an application for Building Contractor License already granted. ACCEPT AND FILE

ATTACHMENT: BOARD OF CONTRACTORS.pdf

2.3 R. C. No. 86-18-19 by Finance and Personnel Committee to whom was referred 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

ATTACHMENT: RC 291.pdf

2.4 R. C. No. 87-18-19 by Finance and Personnel Committee to whom was referred R. O. No. 42-18-19 by City Clerk submitting a claim from Progressive Casualty Insurance Company/Alfredo Venegas for alleged damages when a dump truck rear ended their insured vehicle; recommends filing the document. ACCEPT AND FILE

ATTACHMENT: RO 42.pdf

2.5 R. C. No. 88-18-19 by Finance and Personnel Committee to whom was referred various claims; recommends filing all claims. ACCEPT AND FILE

ATTACHMENT: various claims.pdf

2.6 R. C. No. 89-18-19 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 59-18-19 by City Clerk submitting various license applications; recommends filing Beverage Operator License No. 2259 (Gifty Gilman) as she has abandoned her application, thereby withdrawing it. ACCEPT AND FILE

ATTACHMENT: RO 59.pdf

2.7 R. C. No. 90-18-19 by Finance and Personnel Committee to whom was referred R. O. No. 87-18-19 by City Clerk submitting a communication from Dolcye Johnson regarding the funds for the Fire-Ambulance Service; recommends filing the document. ACCEPT AND FILE

ATTACHMENT: RO 87.pdf

2.8 R. C. No. 91-18-19 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 88-18-19 by Police Chief, pursuant to section 54-65 of the Municipal Code, submitting the quarterly report of Benchmark Measurements for the Police Department for the period commencing April 1, 2018 and ending June 30, 2018; recommends filing the document. ACCEPT AND FILE

ATTACHMENT: RO 88.pdf

2.9 R. C. No. 92-18-19 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 89-18-19 by Fire Chief, pursuant to section 50-564 of the Municipal Code, submitting the quarterly report of Benchmark Measurements for the Fire Department for the period commencing April 1, 2018 and ending June 30, 2018; recommends filing the document. ACCEPT AND FILE

ATTACHMENT: RES 89.pdf

2.10 R. C. No. 93-18-19 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 98-18-19 by City Clerk submitting various license applications; recommends granting the license applications. ACCEPT AND FILE

ATTACHMENT: RO 98.pdf

2.11 R. C. No. 94-18-19 by Finance and Personnel Committee to whom was referred R. O. No. 99-18-19 by Finance Director submitting a financial report of the City of Sheboygan for the period commencing January 1, 2018 and ending June 30, 2018; recommends filing the document. ACCEPT AND FILE

ATTACHMENT: RO 99.pdf

2.12 R. C. No. 95-18-19 by Finance and Personnel Committee to whom was

referred Res. No. 58-18-19 by Alderpersons Rindfleisch and Bohren authorizing the appropriate City officials to execute a Vacant Land Offer to Purchase with KCG Development, LLC.; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 58.pdf

2.13 R. C. No. 96-18-19 by Finance and Personnel Committee to whom was referred Res. No. 62-18-19 by Alderpersons Rindfleisch and Bohren authorizing the Office of the City Administrator to proceed with the issuance of the City of Sheboygan 2019 community survey; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 62.pdf

2.14 R. C. No. 97-18-19 by Finance and Personnel Committee to whom was referred Res. No. 63-18-19 by Alderpersons Rindfleisch and Bohren approving the Project Plan and establishing the boundaries for and the creation of Tax Incremental District No. 17, City of Sheboygan, Wisconsin; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RC97.pdf

2.15 R. C. No. 98-18-19 by Finance and Personnel Committee to whom was referred Res. No. 64-18-19 by Alderpersons Rindfleisch and Bohren approving the Project Plan established the boundaries for and the creation of Tax Incremental District No. 19; City of Sheboygan, Wisconsin; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 64.pdf

2.16 R. C. No. 99-18-19 by Public Works Committee to whom was referred Res. No. 65-18-19 by Alderperson Wolf authorizing the appropriate City officials to execute a Lease Agreement between the City of Sheboygan, the Elwood H. May Environmental Park Association of Sheboygan County, Inc., and the Sheboygan Area School District; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: SASD-Maywood Lease Agreement dated 8-27-18.pdf

ATTACHMENT: RES 65.pdf

2.17 R. C. No. 100-18-19 by Public Works Committee to whom was referred Res. No. 66-18-19 by Alderperson Wolf authorizing the appropriate City Officials to enter into an agreement for a 12 foot underground easement Wisconsin Public Service Corporation easement at the South Right of Way line of Erie Avenue of the above described Lot 3 Parcel Identification Number 59281216519; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 66.pdf

2.18 R. C. No. 101-18-19 by Public Works Committee to whom was referred Res. No. 67-18-19 by Alderperson Wolf authorizing the appropriate City Officials to enter into an agreement for an eight foot underground Wisconsin Public Service Corporation easement at Part of Lot 5 of Block 29 Ordinal Plat Parcel Identification Number 592811100081; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 67.pdf

2.19 R. C. No. 102-18-19 by Finance and Personnel Committee to whom was referred Gen. Ord. No. 12-18-19 by Alderperson Rindfleisch repealing Gen. Ord. No. 6-18-19 and amending the supplement to Section 82-33 of the Sheboygan Municipal Code so as to amend the positions in the Department of Public Works, Wastewater Treatment Division, and the Engineering Division in the Department of Public Works Table of Organization; recommends approving the amended Ordinance. ACCEPT AND ADOPT AND PASS AMENDED ORDINANCE

ATTACHMENT: GO 12.pdf

2.20 R. O. No. 104-18-19 by City Clerk submitting various license applications. ACCEPT AND FILE

ATTACHMENT: granted.pdf

3. REPORTS OF OFFICERS

3.1 R. O. No. 101-18-19 by City Clerk submitting a Summons and Complaint in the matter of Wal-Mart Stores, Inc. v. City of Sheboygan. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: Walmart Summons.pdf

3.2 R. O. No. 102-18-19 by City Clerk submitting a claim from Alexander Sharick for alleged damages to his vehicle from a bump on Georgia Avenue where there was road construction. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: SHARICK CLAIM.pdf

3.3 R. O. No. 103-18-19 by City Clerk submitting a communication from Matt Wierzbach regarding parking during the Para World Sailing Championships. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: Para World.pdf

4. RESOLUTIONS

4.1 Res. No. 71-18-19 by Alderpersons Wolf and Donohue authorizing retaining outside legal counsel to represent the City in the matter of Wal-Mart Stores, Inc. v. City of Sheboygan, and authorizing payment for said services. SUSPEND AND PASS RESOLUTION

ATTACHMENT: WALMART LEGAL.pdf

4.2 Res. No. 72-18-19 by Alderpersons Rindfleisch and Bohren authorizing the appropriate City officials to execute Ground Lease Amendment No. 1 between the City of Sheboygan and PAJA Properties, LLC to include additional City-owned land. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: PAJA.pdf

4.3 Res. No. 73-18-19 by Alderpersons Rindfleisch and Bohren authorizing the sale of City-owned property to Glacial Lakes Conservancy, Inc. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: glacial.pdf

4.4 Res. No. 74-18-19 by Alderperson Donohue authorizing application for the

2018 Justice Assistance Grant Program Award (Local Solicitation) and entering into a Memorandum of Understanding with Sheboygan County. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

ATTACHMENT: JAG.pdf

4.5 Res. No. 75-18-19 by Alderpersons Wolf and Sorenson authorizing executing an easement for a mini-storm sewer (Berken). REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: MINI STORM BERKEN.pdf

4.6 Res. No. 76-18-19 by Alderperson Wolf authorizing the appropriate City Officials to enter into contract with Vortex International Inc. of Montreal Canada, through a cooperative purchasing agreement with National Purchasing Partners (NPP), for the purposes of purchasing and installing a 58 feet five inch by 41 feet seven inch splash pad facility in Optimist Park. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: SPLASH.pdf

4.7 Res. No. 77-18-19 by Alderperson Wolf authorizing the acceptance and signing of a sanitary sewer easement across the future Fairfield Inn property located on South Taylor Drive. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: fairfield.pdf

4.8 Res. No. 78-18-19 by Alderperson Wolf authorizing the appropriate City Officials to enter into a contract with Pipetek Infrastructure Services in the amount of \$97,156, for Capital Improvement Televising. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: pipetek.pdf

4.9 Res. No. 79-18-19 by Alderpersons Wolf, Donohue and Rindfleisch supporting Shoreline Metro's application for a State of Wisconsin Volkswagen Mitigation Program Grant to purchase transit vehicles. REFER TO TRANSIT COMMISSION

ATTACHMENT: shoreline metro.pdf

5. REPORT OF COMMITTEES

5.1 R. C. No. 103-18-19 by Public Works Committee to whom was referred R. C. No. 80-18-19 by Public Works Committee and Gen. Ord. No. 25-17-18 by Alderperson Wolf amending the City's Snow Emergency and Winter Parking rules to provide for improved clearing of snow during snow emergencies and to improve efficiency in clearing streets all winter, give reductions in personnel and changes in procedures; recommends approving the Substitute Ordinance. ACCEPT AND ADOPT AND PASS SUBSTITUTE ORDINANCE

ATTACHMENT: RC 80.pdf

5.2 R. C. No. 104-18-19 by Public Works Committee to whom was referred DIRECT REFERRAL Res. No. 3-18-19 by Alderpersons Wolf and Sorenson authorizing executing an Operating Agreement between the City of Sheboygan and Power Pubs, LLC regarding an authentic German Beer Garden concession in a specific area of Kiwanis Park; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: BEER.pdf

ATTACHMENT: Power Pubs LLC Operating Agreement dated 9-3-18.pdf

ATTACHMENT: RES 3.pdf

5.3 R. C. No. 105-18-19 by Finance and Personnel Committee to whom was referred Res. No. 59-18-19 by Alderpersons Rindfleisch and Bohren authorizing a transfer of appropriations in the 2018 Budget (Butzen Sports Complex study); recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 59.pdf

5.4 R. C. No. 106-18-19 by Finance and Personnel Committee to whom was referred Res. No. 60-18-19 by Alderpersons Rindfleisch and Bohren authorizing a transfer of appropriations in the 2018 Budget (wage and benefits transfers); recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 60.pdf

5.5 R. C. No. 107-18-19 by Finance and Personnel Committee to whom was referred Res. No. 61-18-19 by Alderpersons Rindfleisch and Bohren authorizing a transfer of appropriations in the 2018 Budget (Police training and TID 5); recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 61.pdf

5.6 R. C. No. 108-18-19 by Licensing, Hearings, and Public Safety Committee to whom was referred DIRECT REFERRAL Res. No. 68-18-19 by Alderperson Donohue authorizing the Sheboygan Fire Department to enter into an Access and Indemnity Agreement with Cargill Incorporated regarding limited access to property for the specific purpose of conducting firefighter and confined space training exercises; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: res 68-18-19.pdf

ATTACHMENT: RES 68.pdf

5.7 R. C. No. 109-18-19 by Finance and Personnel Committee to whom was referred DIRECT REFERRAL Res. No. 69-18-19 by Alderperson Donohue authorizing the Purchasing Agent to enter into contract for the purchase of (5) Police Patrol vehicles prior to September 21, 2018; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 69.pdf

5.8 R. C. No. 110-18-19 by Finance and Personnel Committee to whom was referred DIRECT REFERRAL Res. No. 70-18-19 by Alderpersons Rindfleisch and Bohren authorizing a transfer of appropriations in the 2018 Budget (Police vehicles); recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 70.pdf

5.9 R. C. No. 111-18-19 by Licensing, Hearings, and Public Safety Committee to whom was referred Gen. Ord. No. 8-18-19 by Alderpersons Donohue and Rindfleisch repealing Article VIII of Chapter 70 of the Municipal Code entitled "Sexual Offender Residency Restrictions"; submits to council with no committee recommendation.

ATTACHMENT: GEN ORD 8.pdf

5.10 R. C. No. 112-18-19 by Finance and Personnel Committee to whom was referred Gen. Ord. No. 11-18-19 by Alderperson Rindfleisch re-establishing the

salaries of Election Officials; recommends approving the Ordinance. ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: GEN ORD 11.pdf

6. GENERAL ORDINANCE

6.1 Gen. Ord. No. 13-18-19 by Alderperson Wolf repealing Gen. Ord. No. 42-17-18 and creating new parking restrictions permitting parking on N. 9th Street from Pershing Avenue north. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: GO PARKING N 9TH.pdf

6.2 Gen. Ord. No. 14-18-19 by Alderperson Wolf relating to parking restrictions on the south side of Martin Avenue east of North 22nd Street. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: GO MARTIN AVE.pdf

7. MATTERS LAID OVER

7.1 R. O. No. 85-18-19 by City Plan Commission to whom was reviewed and discussed the Tax Incremental District (TID) 17 Boundaries and Project Plan at the regular meeting of the City Plan Commission, July 24, 2018, and after due consideration recommends approval of both the TID 17 Boundaries and Project Plan. ACCEPT AND FILE

ATTACHMENT: RO 85.pdf

7.2 R. O. No. 86-18-19 by City Plan Commission to whom reviewed and discussed the Tax Incremental District (TID) 19 Boundaries and Project Plan at the regular meeting of the City Plan Commission, July 24, 2018, and after due consideration recommends approval of both the TID 19 Boundaries and Project Plan. ACCEPT AND FILE

ATTACHMENT: RO 86.pdf

8. OTHER MATTERS RECEIVED AFTER THE AGENDA WAS PUBLISHED

8.1 R. O. No. 105-18-19 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

ATTACHMENT: referred.pdf

9. ADJOURN MEETING

9.1 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