

City of Sheboygan  
2017-11-20

AT4QD266349C

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

"AS WE EXPRESS OUR GRATITUDE THIS THANKSGIVING, WE MUST NEVER FORGET THAT THE HIGHEST APPRECIATION IS NOT TO UTTER WORDS, BUT TO LIVE BY THEM"

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**1. OPENING OF MEETING**

1.1 ROLL CALL - ALDERPERSON DONOHUE WILL BE ATTENDING THE MEETING REMOTELY

1.2 PLEDGE OF ALLEGIANCE

1.3 APPROVAL OF MINUTES

1.4 MAYOR'S APPOINTMENTS - Craig Seider to Board of License Examiners as 2nd Alternate.

ATTACHMENT: SEIDER APPOINTMENT.pdf

1.5 MAYOR'S APPOINTMENTS - Jody Kraemer to Mayor's Neighborhood Leadership Cabinet representing the Memorial Neighborhood Association as the Primary member. Nancy Maring to Mayor's Neighborhood Leadership Cabinet representing the Memorial Neighborhood Association as the Alternate member.

ATTACHMENT: KRAEMER MARING APPOINTMENT.pdf

1.6 ELECTION OF BOARD OF WATER COMMISSIONER

ATTACHMENT: Mark Smith resume.pdf

1.7 PRESENTATION - The Wisconsin Director and Deputy Director of AARP will present the City of Sheboygan with a certificate to acknowledge our Age Friendly Community status.

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

**2. HEARINGS**

2.1 Hearing No. 9-17-18 pursuant to a notice published and personal notices sent by the City Clerk, there is hearing scheduled for this evening to amend the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Use Classification of vacant land between North Taylor Drive and North 34th Street from Institutional and Community Facilities to Community Mixed Use.

ATTACHMENT: HEARING - DENTIST COMP PLAN.pdf

2.2 Hearing No. 10-17-18 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 vacant land between North Taylor Drive and North 34th Street from Class UR - Urban Residential to Class SO - Suburban Office.

ATTACHMENT: HEARING - DENTIST COMP PLAN.pdf

### 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

3.2 R. O. No. 229-17-18 by City Clerk submitting the State and County Apportionment Form from the County Board of Supervisors to determine the amount of taxes to be levied in Sheboygan County against all taxable property for the year. ACCEPT AND FILE

ATTACHMENT: APPORTIONMENT FORM TAXES.pdf

3.3 R. O. No. 228-17-18 by City Clerk submitting an application for private well permit from Chad Senkbeil located at 4428 South 8th Street. ACCEPT AND FILE

ATTACHMENT: WELL SENKBEIL.pdf

3.4 R. C. No. 169-17-18 by Finance and Personnel Committee to whom was referred R. O. No. 175-17-18 by the City Clerk submitting a communication from Alderperson Bohren regarding an article published in the Milwaukee Journal Sentinel pertaining to healthcare costs; recommends that the documents be accepted and filed. ACCEPT AND FILE

ATTACHMENT: RO 175.pdf

3.5 R. C. No. 168-17-18 by Finance and Personnel Committee to whom was referred R. O. No. 207-17-18 by the Director of Planning and Development submitting a request from Chad Pelishek requesting the use of two of the City's free Blue Harbor Conference Center days to host the 2018 Great Lakes Areas of Concern conference being held on May 16-17, 2018; recommends to accept and adopt. ACCEPT AND ADOPT TO APPROVE REQUEST

ATTACHMENT: RO 207.pdf

3.6 R. C. No. 167-17-18 by Finance and Personnel Committee to whom was referred R. O. No. 208-17-18 by the Finance Director submitting a financial report of the City of Sheboygan for the period commencing January 1, 2017 and ending September 30, 2017; recommends to accept and adopt. ACCEPT AND ADOPT

ATTACHMENT: RO 208.pdf

3.7 R. C. No. 164-17-18 by Public Works Committee to whom was referred R. O. No. 200-17-18 by City Clerk submitting a communication from Dane Schaefer proposing that the Armory property be turned into Armory Park, a green space that will utilize some of the building's facade as an architectural feature and provide paved public parking; recommends filing documents. ACCEPT AND FILE

ATTACHMENT: RO 200.pdf

3.8 R. C. No. 163-17-18 by Finance and Personnel Committee to whom was referred various claims; recommends settling and/or denying the claims. ACCEPT AND FILE

ATTACHMENT: Claims.pdf

3.9 R. C. No. 172-17-18 by Law and Licensing Committee to whom was referred, pursuant to R. O. No. 225-17-18 by City Clerk submitting various license applications; recommends granting licenses. ACCEPT AND FILE

ATTACHMENT: PURSUANT 225 (BONELLI).pdf

3.10 R. C. No. 165-17-18 by Public Safety Committee to whom was referred R. O. No. 215-17-18 by Chief of Police Christopher Domagalski, pursuant to Section 54-65 of the Municipal Code, submitting the quarterly report showing the Benchmark Measurement for the department for the period commencing July 1, 2017 and ending September 30, 2017; recommends filing the document. ACCEPT AND FILE

ATTACHMENT: RO 215.pdf

3.11 R. O. No. 226-17-18 by City Clerk submitting various license applications; recommends granting licenses. ACCEPT AND ADOPT

ATTACHMENT: UPDATED.pdf

3.12 R. C. No. 177-17-18 by Public Works Committee to whom was referred Res. No. 92-17-18 by Alderperson Wolf authorizing the appropriate City officials to execute a Drainage/Storm Sewer Easement between Pavilion FS - Sheboygan, LLC and the City of Sheboygan regarding the property located at 2606 Washington Avenue, Sheboygan, Wisconsin; recommends passing Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES NO 92-17-18.pdf

3.13 R. C. No. 175-17-18 by Public Safety Committee to whom was referred Res. No. 89-17-18 by Alderperson Draughon authorizing the appropriate City officials to execute the Joint Powers Agreement for Sheboygan County and City of Sheboygan 911 Emergency Systems; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 89.pdf

3.14 R. C. No. 176-17-18 by Public Safety Committee to whom was referred Res. No. 90-17-18 by Alderperson Draughon authorizing acceptance of 2017 Wisconsin Bureau of Transportation Safety, Impaired Driving Enforcement Grant; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 90.pdf

3.15 R. C. No. 179-17-18 by Public Works Committee to whom was referred Gen. Ord. No. 23-17-18 by Alderperson Wolf placing a stop sign at the southeast corner of South Water Street and Virginia Avenue; recommends passing the Ordinance. ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: GO NO 23-17-18.pdf

3.16 R. C. No. 178-17-18 by Public Works Committee to whom was referred Gen. Ord. No. 24-17-18 by Alderperson Wolf creating a no parking, stopping, or standing zone on the south side of New Jersey Avenue between South 8th Street and South Water Street; recommends passing the Ordinance. ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: GO 24-17-18.pdf

3.17 R. C. No. 180-17-18 by Public Works Committee to whom was referred Gen. Ord. No. 26-17-18 by Alderperson Wolf amending Sections 122-403, 122-404 and 122-405 and 122-552 of the Municipal Code relating to sewers and sewerage disposal; recommends passing the Ordinance. ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: SEWERS.pdf

#### **4. REPORTS OF OFFICERS**

4.1 R. O. No. 234-17-18 by Board of Water Commissioners submitting a request from the Town of Sheboygan for water service to Rudy Mahler Park, within Town lands, on Eisner Avenue. REFER TO CITY PLAN COMMISSION

ATTACHMENT: WATER SERVICE RUDY MAHLER PARK.pdf

4.2 R. O. No. 232-17-18 by City Clerk submitting a petition for Direct Annexation By Unanimous Approval from Brian J. Bruggink and Julie K. Bruggink Living Trust (3 parcels - Racetrack Road). REFER TO CITY PLAN COMMISSION

ATTACHMENT: DIRECT ANNEXATION 3 PARCELS.pdf

4.3 R. O. No. 231-17-18 by City Clerk submitting a Certified Survey Map (C.S.M.) and the Declaration of Nonexclusive Easements by Meijer Stores Limited Partnership. REFER TO CITY PLAN COMMISSION

ATTACHMENT: CSM MEIJER.pdf

4.4 R. O. No. 227-17-18 by the City Plan Commission to whom was referred Gen. Ord. No. 21-17-18 by Alderpersons Savaglio and Lewandoske to amend the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Land use Classification of vacant land between North Taylor Drive and North 34th Street from Institutional and Community Facilities to Community Mixed Use; recommends approval of the attached Substitute Ordinance. ACCEPT AND FILE AND PASS SUBSTITUTE ORDINANCE

ATTACHMENT: SUBS OF GO 21.pdf

4.5 R. O. No. 230-17-18 by City Plan Commission to whom was referred Gen. Ord. No. 22-17-18 by Alderpersons Savaglio and Lewandoske and R. O. No. 192-17-18 by the City Clerk to amend the City of Sheboygan Zoning Map to change the Use District Classification of vacant land between North Taylor Drive and North 34th St. from Class UR-Urban Residential to Class SO - Suburban Office; recommends passing the Substitute Ordinance. ACCEPT AND FILE AND PASS SUBSTITUTE ORDINANCE

ATTACHMENT: SUBS GO 22.pdf

4.6 R. O. No. 233-17-18 by City Clerk submitting a communication from Axley Brynelson, LLP, on behalf of Wilson Land Holdings, LLC, along with a Petition for Direct Annexation by Unanimous Approval. REFER TO CITY PLAN COMMISSION

ATTACHMENT: WILSON LAND HOLDINGS LLC.pdf

#### **5. RESOLUTIONS**

5.1 Res. No. 94-17-18 by Alderpersons Donohue and Bohren authorizing entering into an agreement with Ruckert Mielke for final design and bidding documents related to the expansion of the Sheboygan Business Center. SUSPEND AND PASS RESOLUTION

ATTACHMENT: RUEKERT MIELKE.pdf

5.2 Res. No. 95-17-18 by Alderperson Wolf authorizing signing a document releasing the Cooperation Agreement for the Conveyance and Private Development of Land with regard to Phase I of the Portscape Apartments on South Pier while maintaining the provisions in Section 12. SUSPEND AND PASS RESOLUTION

ATTACHMENT: RES COOPERATION AGMT PORTSCAPE.pdf

5.3 Res. No. 96-17-18 by Alderpersons Donohue and Bohren approving the purchase of 3.990 acres of land (parcel number 59030-454530) owned by Wisconsin Power and Light on Stahl Road. SUSPEND AND PASS RESOLUTION

ATTACHMENT: 3.990 ACRES LAND.pdf

ATTACHMENT: RES 96-17-18.pdf

5.4 Res. No. 100-17-18 by Alderperson Wolf authorizing entering into contract for the purchase of a Tracked skid steer loader for the Public Works Dept. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: RES TRACKED SKID STEER LOADER.pdf

5.5 Res. No. 101-17-18 by Alderperson Wolf authorizing the appropriate City Officials to enter into a contract with Floatation Docking Systems for replacing the northern section of the floating river docks in the Sheboygan River for \$284,185. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: FLOATATION DOCKING.pdf

5.6 Res. No. 102-17-18 by Alderperson Wolf authorizing the appropriate City Officials to enter into a contract with Environmental Systems Research Institute, Inc. (ESRI) for geographic information systems (GIS) software and licensing for \$50,420. Additional purchases include a Microsoft server and licensing, and a Virtual Machine (VMware) for \$13,966.58. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: ESRI.pdf

5.7 Res. No. 99-17-18 by Alderperson Donohue providing for the sale of approximately \$4,855,000 Water Utility Revenue Bonds, Series 2018. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: WATER UTILITY BONDS.pdf

5.8 Res. No. 98-17-18 by Alderpersons Donohue and Bohren authorizing establishing appropriation in the 2017 Budget for engineering software. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: ENGINEERING SOFTWARE RES.pdf

5.9 Res. No. 97-17-18 by Alderpersons Donohue and Bohren authorizing establishing an appropriation in the 2017 Budget for engineering services for the Sheboygan Business Center. SUSPEND AND PASS RESOLUTION

ATTACHMENT: RES 97.pdf

## **6. REPORTS OF COMMITTEES**

6.1 R. C. No. 170-17-18 by Finance and Personnel Committee to whom was

referred R. O. No. 206-17-18 by the Director of Planning and Development requesting support from the Common Council to pursue acquisition of vacant, lighted property located at 2117 Indiana Ave.; recommends to accept and adopt. ACCEPT AND ADOPT

ATTACHMENT: RO 206.pdf

6.2 R. C. No. 171-17-18 by Finance and Personnel Committee to whom was referred Res. No. 88-17-18 by Alderpersons Donohue and Bohren to authorize establishing an appropriation in the 2017 Budget for grant funds received in the Fire Department; recommends filing documents. ACCEPT AND FILE

ATTACHMENT: RES 88.pdf

6.3 R. C. No. 173-17-18 by Law and Licensing to whom was referred, pursuant to R. O. No. 201-17-18 by the City Clerk, submitting various license applications; recommends denying Taxicab Driver License application No. 1556 (Thomas E. Holtz) based upon his record of violations related to the licensed activity and his record as a habitual law offender. ACCEPT AND FILE

ATTACHMENT: PUR RO 201 (HOLTZ).pdf

6.4 R. C. No. 166-17-18 by Law and Licensing Committee to whom was referred R. O. No. 187-17-18 by the City Clerk, submitting various license applications; recommends denying Taxicab Driver License application No. 5224 (Michael B. Gaumer) based upon his record of violations related to the licensed activity and safety concerns. ACCEPT AND FILE

ATTACHMENT: RO 187.pdf

6.5 R. C. No. 174-17-18 by Law and Licensing Committee to whom was referred, pursuant to R. O. No. 201-17-18 by the City Clerk, submitting various license applications; recommends denying Beverage Operator License application No. 1920 (Brian C. Buszta) based upon his ineligibility for a license and his failure to cooperate with the committee. ACCEPT AND FILE

ATTACHMENT: PUR RO 201 (BUSZTA).pdf

## **7. ORDINANCES**

7.1 Gen. Ord. No. 29-17-18 by Alderpersons Donohue and Bohren amending Section 82-33 of the Municipal Code so as to amend the positions in the Office of the Mayor Table of Organization. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: MAYOR S TO.pdf

7.2 Gen. Ord. No. 27-17-18 by Alderpersons Holzschuh and Schneider annexing territory from the Town of Wilson to the City of Sheboygan situated in the vicinity of Stahl Road on the north, Sunset Road on the south, Interstate 43 on the west and County Trunk OK on the east. REFER TO CITY PLAN COMMISSION

ATTACHMENT: WILSON LAND HOLDINGS ANNEXATION.pdf

7.3 Gen. Ord. No. 30-17-18 by Alderpersons Donohue and Bohren amending Section 82-33 of the Sheboygan Municipal Code so as to add a Part-Time Clerk I in the City Clerk's Office for the City of Sheboygan. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: CITY CLERK PART TIME.pdf

ATTACHMENT: PART TIME CLERK.pdf

7.4 Gen. Ord. No. 28-17-18 by Alderpersons Holzschuh and Schneider annexing territory from the Town of Wilson to the City of Sheboygan situated in the vicinity east of Racetrack Road and north of Stahl Road (Parcels 59030454501, 59030454502 and 59030454503). REFER TO CITY PLAN COMMISSION

ATTACHMENT: ANNEXATION VANHORN.pdf

## **8. MATTERS LAID OVER**

8.1 R. O. No. 223-17-18 by City Clerk submitting a Tax Levy Certification for the 2017-2018 school year from the Sheboygan Area School District. ACCEPT AND FILE

ATTACHMENT: RO 223.pdf

8.2 R. O. No. 190-17-18 by City Plan Commission to whom was referred Gen. Ord. No. 14-17-18 by Alderpersons Bohren and Sorenson for a petition for direct annexation for property located in the City of Sheboygan owned by the City of Sheboygan; recommends passing Substitute Ordinance. ACCEPT AND FILE AND PASS SUBSTITUTE ORDINANCE

ATTACHMENT: RO 190.pdf

8.3 R. O. No. 171-17-18 by City Administrator submitting a listing of the Estimated Unreserved Fund Balances at December 31, 2018 and outstanding debt as of December 31, 2017 as part of the budget process. ACCEPT AND FILE

ATTACHMENT: RO 171.pdf

8.4 R. O. No. 191-17-18 by City Plan Commission to whom was referred Gen. Ord. No. 20-17-18 by Alderpersons Savaglio and Lewandoske and R. O. No. 186-17-18 by City Clerk to rezone property located at 3530 Lower Falls Road from Class Pre-Planned Unit Development (PPUD) to Class JMKAC Planned Unit Development (JMKAC PUD); recommends passing Ordinance. ACCEPT AND FILE AND PASS ORDINANCE

ATTACHMENT: RO 191.pdf

## **9. OTHER MATTERS RECEIVED AFTER THE AGENDA WAS POSTED**

9.1 R. C. No. 181-17-18 by Public Safety Committee who met and discussed a "Request for Public Safety Consideration (IFC)" by Fire Chief Romas to recommend that the Common Council authorize city staff to seek bids for Station 1 building repairs, consistent with the adopted 2018 budget; recommends approval of the request. LIES OVER

ATTACHMENT: ROMAS IFC.pdf

9.2 R. O. No. 235-17-18 by City Clerk submitting various license applications. REFER TO LAW AND LICENSING COMMITTEE

ATTACHMENT: REFERRED.pdf

9.3 R. O. No. 234-17-18 by City Clerk submitting a communication from Steve Westphal regarding parking signage on 8th Street between Michigan Avenue and Huron Avenue. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: WESTPHAL.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