

City of Sheboygan
2017-11-06

ASGS9268E6D1

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

"GOOD LEADERSHIP IS NEVER ABOUT ADVANCING YOURSELF. IT'S ALWAYS ABOUT ADVANCING YOUR TEAM"

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 - NOTE: Alderperson Wolf will be attending the Common Council meeting remotely.

1.2 PLEDGE OF ALLEGIANCE

1.3 APPROVAL OF MINUTES

1.4 RESIGNATION - Mark Heinz from the Sheboygan Board of Water Commissioners

ATTACHMENT: MARK HEINZ RESIGNATION.pdf

1.5 RESIGNATION - Steffenie O'Connell from the Sheboygan Sustainable Task Force

ATTACHMENT: Resignation - Steffenie O Connell from Sustainable Task Force.pdf

1.6 RESIGNATION - Susan Richards as City Clerk effective January 6, 2018.

ATTACHMENT: Resignation - City Clerk.pdf

1.7 MAYOR'S APPOINTMENTS - Deputy City Clerk Meredith DeBruin to fill the unexpired term of Susan Richards, City Clerk, effective January 6, 2018.

ATTACHMENT: Appointment - Meredith DeBruin.pdf

1.8 PRESENTATION - 2017 STRATEGIC PLAN - ACTION ITEMS AND CRITICAL MEASURES - City Administrator Darrell Hofland

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

1.10 MAYOR'S ANNOUNCEMENTS - UPCOMING COMMUNITY EVENTS, PROCLAMATIONS, EMPLOYEE RECOGNITIONS, COMMENTS ON CONSTRUCTION EASEMENT FOR THE NON-MOTORIZED BIKE/PED TRAIL TO BE INSTALLED IN THE ALLIANT ENERGY TRANSMISSION CORRIDOR

2. HEARING

2.1 Hearing No. 8-17-18 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 for property located at 3530 Lower Falls Road from Class PPUD Pre-Planned Unit Development to Class JMKAC PUD Planned Unit Development.

ATTACHMENT: Hearing on JMKAC PUD.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. 203-17-18 by Board of Water Commissioners submitting the Board of Water Commissioners' Report on the Water Utility for the third quarter of 2017. ACCEPT AND FILE

ATTACHMENT: BOARD OF WATER THIRD QUARTER.pdf

3.3 R. O. No. 204-17-18 by Board of Water Commissioners reporting to the Common Council that the Board intends to increase water rates and has submitted a rate case to the Wisconsin Public Service Commission. ACCEPT AND FILE

ATTACHMENT: BOARD OF WATER RATE INCREASE.pdf

3.4 R. O. No. 205-17-18 by City Clerk submitting a Tax Levy Certification for the 2017-2018 school year from the Kohler School District. ACCEPT AND FILE

ATTACHMENT: Tax Levy Cert. Kohler.pdf

3.5 R. C. No. 154-17-18 by Law and Licensing Committee to whom was referred R. O. No. 193-17-18 by City Clerk submitting a communication from David Repinski, President of the Sheboygan Tavern League, requesting that a representative of the Sheboygan Tavern League be seated as a non-voting member of the Law and Licensing Committee; recommends to accept and file and direct the City Attorney to send a letter to Mr. Repinski explaining that only elected Alders are members of standing committees. ACCEPT AND FILE

ATTACHMENT: RO 193.pdf

3.6 R. C. No. 156-17-18 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 granting licenses. ACCEPT AND ADOPT

ATTACHMENT: Pursuant RO 201.pdf

3.7 R. O. No. 202-17-18 by Transit Commission to whom was referred Res. No. 84-17-18 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 2018, under former Section 9 (USC 5307) of the Federal Transit Act of 1964, as amended; recommends passing the Resolution. ACCEPT AND FILE AND PASS RESOLUTION

ATTACHMENT: RES 84.pdf

3.8 R. C. No. 155-17-18 by Public Safety Committee to whom was referred R. O. No. 198-17-18 by Fire Chief pursuant to Section 50-564 of the Municipal Code, submitting his quarterly report of Benchmark Measurements for the Fire Department, for the period commencing July 1, 2017 and ending September 30, 2017; recommends to accept and file. ACCEPT AND FILE

ATTACHMENT: RO 198-17-18.pdf

3.9 R. C. No. 161-17-18 by Public Safety Committee to whom was referred Gen. Ord. No. 19-17-18 by Alderpersons Donohue, Wolf and Draughon repealing Section 26-5 of the Sheboygan Municipal Code so as to provide greater flexibility in membership and provide for an additional alternate member of the Board of

License Examiners, effective April 2018; recommends passing the Ordinance.
ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: GEN ORD 19-17-18.pdf

3.10 R. C. No. 158-17-18 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 to accept and file. ACCEPT AND FILE

ATTACHMENT: RO 200.pdf

3.11 R. O. No. 217-17-18 by City Clerk submitting a Tax Levy Certification for the 2017-2018 school year from the Lakeshore Technical College. ACCEPT AND FILE

ATTACHMENT: LTC Tax Levy.pdf

3.12 R. O. No. 219-17-18 by Mayor's International Leadership Cabinet to whom was referred Res. No. 69-17-18 by Alderperson Nelson and Bitters officially recognizing the King Park Neighborhood Association; recommends passing the Resolution. ACCEPT AND FILE AND PASS RESOLUTION

ATTACHMENT: RES 69.pdf

4. COMMUNICATION

4.1 Com. No. 3-17-18 by Alderpersons Bohren and Sorenson submitting a communication and petition from David Mihm of 1144 Cherry Lane requesting that the parking restrictions on Cherry Lane be changed. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: MIHM COMMUNICATION.pdf

5. REPORTS OF OFFICERS

5.1 R. O. No. 213-17-18 by Board of Water Commissioners intending to seek a revenue bond issuance in the amount of \$4.74 million in 2018 to fund the south water tower at \$2.4 million and refund the 2007 revenue bonds at \$2.34 million in interest savings. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: BOARD WATER WATER TOWER.pdf

5.2 R. O. No. 212-17-18 by City Clerk submitting a claim from Richard Beseler for alleged damages to the back window of his vehicle when it was parked in the employee parking lot of the Department of Public Works. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: Beseler Claim.pdf

5.3 R. O. No. 211-17-18 by City Clerk submitting a claim from Acuity Insurance for alleged damages when their insured clients' (Kenneth and Rachel Lilge) vehicle struck a road construction sign that had blown over in the middle of Gateway Drive. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: Acuity Claim.pdf

5.4 R. O. No. 209-17-18 by City Clerk submitting a claim from Nicole Dessloch for alleged damages to her vehicle when it was hit from behind by a vehicle driven by a City employee in the 1600 block of Erie Avenue. REFER TO FINANCE AND PERSONNEL

ATTACHMENT: Dessloch Claim.pdf

5.5 R. O. No. 210-17-18 by City Clerk submitting a claim from Sheboygan Society Scale Model Railroad Engineers, owner of the real estate located at 1001 North 10th Street, for recovery of taxes. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: CLAIM RAILROAD ENGINEERS.pdf

5.6 R. O. No. 206-17-18 by Director of Planning and Development requesting support from the Common Council to pursue acquisition of vacant, blighted property located at 2117 Indiana Avenue. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: 2117 INDIANA AVE.pdf

5.7 R. O. No. 207-17-18 by Director of Planning and Development 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. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: Blue Harbor Days.pdf

5.8 R. O. No. 208-17-18 by Finance Director submitting a financial report of the City of Sheboygan for the period commencing January 1, 2017 and ending September 30, 2017. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: Financial Report.pdf

5.9 R. O. No. 214-17-18 by City Clerk submitting a communication from Calvin DeWayne Gideon requesting a waiver from the Sex Offender Residency requirements in order to reside at 1328 North 9th Street. REFER TO PUBLIC SAFETY COMMITTEE

ATTACHMENT: GIDEON WAIVER.pdf

5.10 R. O. No. 215-17-18 by Chief of Police Christopher Domagalski, pursuant to section 54-65 of the Municipal Code, submitting his quarterly report showing the Benchmark Measurement for the Police Department for the period commencing July 1, 2017 and ending September 30, 2017. REFER TO PUBLIC SAFETY COMMITTEE

ATTACHMENT: POLICE 3RD QUARTER.pdf

5.11 R. O. No. 216-17-18 by City Clerk submitting a communication from James W. Washington requesting a waiver from the Sex Offender Residency requirements in order to reside at 1128 Geele Avenue. REFER TO PUBLIC SAFETY COMMITTEE

ATTACHMENT: Washington Waiver.pdf

5.12 R. O. No. 218-17-18 by City Clerk submitting a communication from Jane Wiensch requesting a waiver from the Sex Offender Residency requirements in order to reside at 1427 N. 10th Street. REFER TO PUBLIC SAFETY COMMITTEE

ATTACHMENT: WAIVER WIENSCH.pdf

5.13 R. O. No. 220-17-18 by City Clerk submitting a communication from Justin Vannieuwenhoven to propose a new ordinance regarding commercial quadricycles in the City of Sheboygan. REFER TO LAW AND LICENSING COMMITTEE

ATTACHMENT: Quadricycle.pdf

5.14 R. O. No. 221-17-18 by City Clerk submitting a communication from Matthew Donald Kunert requesting a waiver from the Sex Offender Residency requirements in order to reside at 1206 N. 10th Street. REFER TO PUBLIC SAFETY COMMITTEE

ATTACHMENT: KUNERT WAIVER.pdf

6. RESOLUTIONS

6.1 Res. No. 86-17-18 by Alderperson Wolf authorizing a transfer of appropriations in the 2017 Budget to establish estimated revenue and appropriation for 2017 Community Development Block Grant Entitlement Program. SUSPEND AND PASS RESOLUTION

ATTACHMENT: RES 86-17-18.pdf

ATTACHMENT: CDBG.pdf

6.2 Res. No. 87-17-18 by Alderperson Belanger to urge the President of the United States and the United States Congress to continue the federal historic tax credit program and to otherwise provide with respect thereto. SUSPEND AND PASS RESOLUTION

ATTACHMENT: Historic Tax Credit.pdf

6.3 Res. No. 88-17-18 by Alderpersons Donohue and Bohren authorizing establishing an appropriation in the 2017 Budget for grant funds received in the Fire Department. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: Grant Fire Dept.pdf

6.4 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. REFER TO PUBLIC SAFETY COMMITTEE

ATTACHMENT: 911.pdf

6.5 Res. No. 90-17-18 by Alderperson Draughon authorizing acceptance of 2017 Wisconsin Bureau of Transportation Safety, Impaired Driving Enforcement Grant. REFER TO PUBLIC SAFETY COMMITTEE

ATTACHMENT: GRANT POLICE IMPAIRED DRIVING.pdf

6.6 Res. No. 91-17-18 by Alderperson Wolf adopting the City of Sheboygan Downtown Sheboygan Parking Study as prepared by Carl Walker consultants. REFER TO TRANSIT COMMISSION

ATTACHMENT: parking study.pdf

7. REPORTS OF COMMITTEES

7.1 R. C. No. 159-17-18 by Public Works Committee to whom was referred R. O. No. 199-17-18 by City Clerk submitting a communication from Tom Wegner, Sheboygan County Board Chairman, requesting the Public Works Committee and the entire Common Council support our City and County staff's request for a Temporary Limited Easement so that the trail can traverse through the City Park known as Camelot Dog Run Park; recommends to accept and file. ACCEPT AND FILE

ATTACHMENT: RO 199.pdf

7.2 R. C. No. 162-17-18 by Finance and Personnel Committee to whom was

referred Res. No. 85-17-18 by Alderpersons Sorenson, Bohren, Nelson and Savaglio urging the UW System Board of Regents and the President of the University System to have the University of Wisconsin Sheboygan be merged and partnered with the University of Milwaukee rather than the University of Wisconsin Green Bay; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 85.pdf

7.3 R. C. No. 157-17-18 by Public Works Committee to whom was referred Com. No. 2-17-18 presented to the Common Council by Alderpersons Bohren and Sorenson submitting a communication from 35 constituents from District 8 opposed to the Sheboygan County proposed non-motorized trail in the WI Power & Light corridor between South 12th Street and South 18th Street; recommends filing the documents. ACCEPT AND FILE.

ATTACHMENT: COM.2.pdf

7.4 R. C. No. 160-17-18 by Public Works Committee to whom was referred Res. No. 75-17-18 by Alderperson Wolf authorizing the appropriate City Officials approve the dedicating of a temporary limited easement from the City of Sheboygan for purposes of constructing a Utility Corridor Multi-Use Path; recommends to accept and file. ACCEPT AND FILE TO NOT APPROVE THE TEMPORARY EASEMENT

ATTACHMENT: RES 75.pdf

8. ORDINANCES

8.1 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. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: NO PARKING SIGN NEW JERSEY.pdf

8.2 Gen. Ord. No. 23-17-18 by Alderperson Wolf placing a stop sign at the southeast corner of South Water Street and Virginia Avenue. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: STOP SIGN.pdf

8.3 Gen. Ord. 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, given reductions in personnel and changes in procedures. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: SNOW EMERGENCY.pdf

8.4 Gen. Ord. 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. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: GO relating to sewers.pdf

9. MATTERS LAID OVER

9.1 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 to accept and file and pass Ordinance.
ACCEPT AND FILE AND PASS ORDINANCE

ATTACHMENT: RO 191.pdf

9.2 R. C. No. 153-17-18 by Committee of the Whole to whom was referred R. C. No. 129-17-18 by Finance and Personnel Committee and Res. No. 71-17-18 by Alderperson Donohue establishing the 2018 Budget appropriations and the 2017 Tax Levy for use during the calendar year; recommends passing the Resolution with various caveats. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RC 153.pdf

9.3 R. C. No. 150-17-18 by Committee of the Whole to whom was referred R. C. No. 130-17-18 by Law and Licensing Committee and a copy of Res. No. 71-17-18 by Alderperson Donohue establishing the 2018 Budget appropriations and the 2017 Tax Levy for use during the calendar year; recommends to accept and file.
ACCEPT AND FILE

ATTACHMENT: RC150.pdf

9.4 R. C. No. 151-17-18 by Committee of the Whole to whom was referred R. C. No. 131-17-18 by Public Safety Committee and a copy of Res. No. 71-17-18 by Alderperson Donohue establishing the 2018 Budget appropriations and the 2017 Tax Levy for use during the calendar year; recommends to accept and file.
ACCEPT AND FILE

ATTACHMENT: RC 151.pdf

9.5 R. C. No. 152-17-18 by Committee of the Whole to whom was referred R. C. No. 132-17-18 by Public Works Committee and a copy of Res. No. 71-17-18 by Alderperson Donohue establishing the 2018 Budget appropriations and the 2017 Tax Levy for use during the calendar year; recommends to accept and file.
ACCEPT AND FILE

ATTACHMENT: RC 152.pdf

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

ATTACHMENT: RO 171.pdf

10. OTHER MATTERS

10.1 Res. No. 92-17-18 by Ald. Wolf authorizing executing a Drainage/Storm Sewer Easement between Pavilion FS - Sheboygan, LLC and the City of Sheboygan regarding property at 2606 Washington Ave. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: Drainage easement pavilion FS.pdf

10.2 R. O. No. 222-17-18 by the City Clerk granting various licenses. ACCEPT AND FILE

ATTACHMENT: Granted.pdf

11. OTHER MATTERS RECEIVED AFTER THE AGENDA WAS POSTED

11.1 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. LIES

OVER

ATTACHMENT: SASD TAX LEVY.pdf

11.2 R. O. No. 224-17-18 by City Clerk submitting a claim from Michael Kraig Beeck for alleged damages to his vehicle when he hit a water valve that was not sealed properly on a construction site on Superior Avenue between 18th Street and 20th Street. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: Beeck claim.pdf

11.3 R. O. No. 225-17-18 by City Clerk submitting various license applications. REFER TO LAW AND LICENSING COMMITTEE

ATTACHMENT: REFERRED.pdf

11.4 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 approval of the Substitute Ordinance. LIES OVER

ATTACHMENT: Gen Ord 14-17-18.pdf

11.5 Res. No. 93-17-18 by Alderpersons Belanger and Wolf officially recognizing the Memorial Neighborhood Association. REFER TO MAYOR'S NEIGHBORHOOD LEADERSHIP CABINET

ATTACHMENT: MEMORIAL NEIGHBORHOOD.pdf

12. CLOSED SESSION

12.1 MOTION TO ADJOURN IN CLOSED SESSION under the exemption in Sec. 19.85(1)(e), Wis. Stats., for the purpose of deliberating and/or negotiating regarding the purchase of public property, where competitive and bargaining reasons require a closed session; to wit: the potential purchase of property located in the 1200 block of South 11th Street AND for the purpose of deliberating regarding a potential development opportunity in the Sheboygan Business Center and possible development opportunity on parcel number 59281-500560 located along North 15th Street where competitive and bargaining reasons require a closed session.

13. ADJOURN MEETING

13.1 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