

CITY OF SHEBOYGAN

THIRTEENTH REGULAR COMMON COUNCIL MEETING AGENDA

Monday, October 2, 2017

ALDERPERSONS PRESENT: Roman Draughon, Mike Damrow, John Belanger, Todd Wolf, Bryan Bitters, Jim Bohren, Scott Lewandoske (remote), Andrew G Schneider, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 14. ALDERPERSONS ABSENT AND EXCUSED: Mary Lynne Donohue and Rosemarie Trester - 2 .

Meeting called to order at 6: 00 PM

1. OPENING OF MEETING

1.1 ROLL CALL - NOTE: Alderperson Lewandoske will be attending the Common Council meeting remotely.

1.2 PLEDGE OF ALLEGIANCE

1.3 APPROVAL OF MINUTES

MOTION TO APPROVE MINUTES Motion by Todd Wolf, second by Roman Draughon. Before action was taken, the minutes were corrected to read "The Boy Scouts were from Holy Name and St. Clement Churches not Holy Family."

Final Resolution:

Motion Passes Aye: Roman Draughon, Mike Damrow, John Belanger, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Scott Lewandoske, Andrew G Schneider, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 14.

1.4 CONFIRMATION OF MAYOR'S APPOINTMENTS - KING PARK NEIGHBORHOOD

MOTION TO CONFIRM APPOINTMENTS Motion by Todd Wolf, second by Roman Draughon.

Final Resolution:

Motion Passes Aye: Roman Draughon, Mike Damrow, John Belanger, Todd Wolf, Bryan Bitters, Jim Bohren, Scott Lewandoske, Andrew G Schneider, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 14.

1.5 ELECTION FOR BOARD OF WATER COMMISSIONER

Motion by Todd Wolf, second by Roman Draughon to nominate Ray Haen to the position of Board of Waterworks Commissioner. There were no other nominations, motion by Todd Wolf, second by Roman Draughon to close nominations and direct the City Clerk to cast a unanimous ballot for Ray Haen for Board of Waterworks Commissioner, all ayes.

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

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

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 Roman Draughon.

Final Resolution:

Motion Passes Aye: Roman Draughon, Mike Damrow, John Belanger, Todd Wolf, Bryan Bitters, Jim Bohren, Scott Lewandoske, Andrew G Schneider, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 14.

2.2 R. C. No. 138 - 17 - 18 by Public Works Committee to whom was referred Res. No. 76 - 17 - 18 by Ald. Wolf authorizing the appropriate City officials to execute a Long-term Stormwater Management Maintenance Agreement between the City of Sheboygan and the Town of Wilson for the Woodview Avenue, Ridgewood Lane, and South 13 th Street Project; recommends passing Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

Resolution:

MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTION Motion by Todd Wolf, second by Roman Draughon.

Final Resolution:

Motion Passes Aye: Roman Draughon, Mike Damrow, John Belanger, Todd Wolf, Bryan Bitters, Jim Bohren, Scott Lewandoske, Andrew G Schneider, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 14. 2.3 R. C. No. 135 - 17 - 18 by Law and Licensing Committee to whom was referred, pursuant to R. O. No. 170 - 17 - 18 by the City Clerk, submitting various license applications; recommends the licenses be granted. ACCEPT AND ADOPT

Resolution:

MOTION TO ACCEPT AND ADOPT Motion by Todd Wolf, second by Roman Draughon.

Final Resolution:

Motion Passes Aye: Roman Draughon, Mike Damrow, John Belanger, Todd Wolf, Bryan Bitters, Jim Bohren, Scott Lewandoske, Andrew G Schneider, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 14.

2.4 R. C. No. 133 - 17 - 18 by Public Works Committee to whom was referred R. O. No. 165 - 17 - 18 by City Clerk submitting a communication by Dolcye Johnson submitting financial documents pertaining to the Fire Department; recommends the document be placed on file. ACCPET AND FILE

Resolution:

MOTION TO ACCEPT AND FILE Motion by Todd Wolf, second by Roman Draughon.

Final Resolution:

Motion Passes Aye: Roman Draughon, Mike Damrow, John Belanger, Todd Wolf, Bryan Bitters, Jim Bohren, Scott Lewandoske, Andrew G Schneider, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 14.

2.5 R. C. No. 139 - 17 - 18 by Public Safety Committee to whom was referred Gen. Ord. No. 16 - 17 - 18 by Ald. Schneider, Bohren and Belanger amending Chapter 70, Article VII, Division 2 of the Municipal Code so as to permit the discharge of weapons in certain rural portions of the City so that hunting may be permitted in those portions of the City where it would be appropriate, to ban the feeding of deer for hunting purposes or otherwise, and to bring the Municipal Code up to date with regard to various changes to state law related to the carrying of weapons; recommends passing the Ordinance. ACCEPT AND ADOPT AND PASS ORDINANCE

Resolution:

MOTION TO ACCEPT AND ADOPT AND PASS ORDINANCE Motion by Todd Wolf, second by Roman Draughon.

Final Resolution:

Motion Passes Aye: Roman Draughon, Mike Damrow, John Belanger, Todd Wolf, Bryan Bitters, Jim Bohren, Scott Lewandoske, Andrew G Schneider, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 14.

3. REPORTS OF OFFICERS

3.1 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. LIES OVER

3.2 R. O. No. 174 - 17 - 18 by City Clerk submitting a Summons and Complaint in the matter of the Town of Wilson v City of Sheboygan, Sheboygan County Case No. 2017 CV 490. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.3 R. O. No. 173 - 17 - 18 by Director of Planning & Development submitting a request of the 2018 Visit Sheboygan, Inc. tourism budget request from the

Sheboygan Area Room Tax Commission. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.4 R. O. No. 176 - 17 - 18 by City Clerk submitting a Summons and Complaint in the matter of PHH Mortgage Corporation f/k/a PHH Mortgage Services v Henry Ye Lee et al. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.5 R. O. No. 175 - 17 - 18 by City Clerk submitting a communication from Ald. Bohren regarding an article published in the Milwaukee Journal Sentinel dated September 20, 2017 pertaining to healthcare costs. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.6 R. O. No. 172 - 17 - 18 by Director of Planning and Development submitting a request of the 2018 BID Statement of Purpose dated September 19, 2017 from the Harbor Centre Business Improvement District. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.7 R. O. No. 180 - 17 - 18 by City Clerk submitting a communication from Scott Steinberg requesting a waiver from the Sex Offender Residency requirements in order to reside at 1013 Humboldt Avenue. REFER TO PUBLIC SAFETY COMMITTEE

3.8 R. O. 183 - 17 - 18 by City Clerk submitting a communication from Danny Beeman requesting a waiver from the Sex Offender Residency requirement in order to reside at 901 Superior Avenue. REFER TO PUBLIC SAFETY COMMITTEE

3.9 R. O. No. 179 - 17 - 18 by City Clerk from State of Wisconsin Department of Corrections on behalf of Alex Kaufman requesting a waiver from the Sex Offender Residency requirements in order to be placed at a TLP at either 1123 / 1125 N. 14 th Street or 930 A Michigan Avenue depending on availability. REFER TO PUBLIC SAFETY COMMITTEE

3.10 R. O. No. 177 - 17 - 18 by City Clerk submitting a communication from Wendell Anderson requesting a waiver from the Sex Offender Residency requirements in order to reside at 1510 N. 9 th Street. REFER TO PUBLIC SAFETY COMMITTEE

3.11 R. O. No. 178 - 17 - 18 by City Clerk submitting a communication from State of Wisconsin Department of Corrections on behalf of Wendell Anderson requesting a waiver from the Sex Offender Residency requirements in order to be placed at a TLP at either 1123 / 1125 N. 14 th Street or 930 A Michigan Avenue depending on availability. REFER TO PUBLIC SAFETY COMMITTEE

3.12 R. O. No. 182 - 17 - 18 by City Clerk submitting a communication from Dustin A. Courchaine requesting a waiver from the Sex Offender Residency requirements in order to reside at 409 A Superior Avenue. REFER TO PUBLIC SAFETY COMMITTEE

3.13 R. O. No. 181 - 17 - 18 by City Clerk submitting a communication from Matthew Kunert requesting a waiver from the Sex Offender Residency restrictions

in order to live at 724 Broughton Dr., Apt. B. REFER TO PUBLIC SAFETY COMMITTEE

3.14 R. O. No. 184 - 17 - 18 by City Clerk submitting communication from Jose Resendez Jr. requesting a waiver from the Sex Offender Residency restrictions in order to live at 1215 Broadway. REFER TO PUBLIC SAFETY COMMITTEE

3.15 R. O. No. 185 - 17 - 18 by City Clerk submitting a communication from Meals on Wheels of Sheboygan County requesting the City of Sheboygan Department of Public Works provide a variance and allow Meals on Wheels to expand the parking area by 13 parking stalls and two 960 s.f. greenhouses, one of which would be built sometime in the future. REFER TO PUBLIC WORKS COMMITTEE

4. RESOLUTIONS

4.1 Res. No. 77 - 17 - 18 by Ald. Wolf and Draughon authorizing retaining outside legal counsel to represent the City in the matter of Town of Wilson v. City of Sheboygan, and authorizing payment for said service. SUSPEND AND PASS RESOLUTION

MOTION TO SUSPEND AND PASS RESOLUTION Motion by Todd Wolf, second by Roman Draughon. Before action was taken, a motion to amend document to have the City Attorney provide quarterly reports to Finance and Personnel Committee. Motion by Jim Bohren, second by Ron Rindfleisch, Ayes: Roman Draughon, Mike Damrow, John Belanger, Todd Wolf, Bryan Bitters, Jim Bohren, Scott Lewandoske, Andrew G Schneider, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 14. Motion by Todd Wolf, second by Roman Draughon to pass Resolution as amended.

Final Resolution:

Motion Passes as amended. Aye: Roman Draughon, Mike Damrow, John Belanger, Todd Wolf, Bryan Bitters, Jim Bohren, Scott Lewandoske, Andrew G Schneider, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 14.

4.2 Res. No. 78 - 17 - 18 by Ald. Wolf and Draughon authorizing the appropriate City officials to execute a conflict waiver letter prepared by Quarles & Brady LLP regarding representation of City of Sheboygan and Wisconsin Public Service Corporation. SUSPEND AND PASS RESOLUTION

MOTION TO SUSPEND AND PASS RESOLUTION Motion by Todd Wolf, second by Roman Draughon.

Final Resolution:

Motion Passes Aye: Roman Draughon, Mike Damrow, John Belanger, Todd Wolf, Bryan Bitters, Jim Bohren, Scott Lewandoske, Andrew G Schneider, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 14.

4.3 Res. No. 79 - 17 - 18 by Ald. 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

4.4 Res. No. 80 - 17 - 18 by Ald. Wolf authorizing the appropriate City Officials to exceed the 2017 Bituminous Resurfacing Contract of \$2,304,846.53 with Vinton construction from Manitowoc, WI by more than 15 percent. REFER TO PUBLIC WORKS COMMITTEE

5. REPORTS OF COMMITTEES

5.1 R. C. No. 137 - 17 - 18 by Finance and Personnel Committee who reviewed the 30 percent design development phase of the City Hall Renovations and recommends the Common Council accept the Bray Architects design and program budget and advance the project to the next development phase. ACCEPT AND ADOPT

MOTION TO ACCEPT AND ADOPT Motion by Jim Bohren, second by Todd Wolf.
Final Resolution:

Motion Passes Aye: Roman Draughon, Mike Damrow, John Belanger, Todd Wolf, Bryan Bitters, Jim Bohren, Scott Lewandoske, Andrew G Schneider, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 14.

5.2 R. C. No. 136 - 17 - 18 by Public Works Committee who reviewed the 30 percent design development phase of the City Hall Renovations and recommends the Common Council accept the Bray Architects design and program budget and advance the project to the next development phase. ACCEPT AND ADOPT

MOTION TO ACCEPT AND ADOPT Motion by Todd Wolf, second by Roman Draughon.
Final Resolution:

Motion Passes Aye: Roman Draughon, Mike Damrow, John Belanger, Todd Wolf, Bryan Bitters, Jim Bohren, Scott Lewandoske, Andrew G Schneider, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 14.

5.3 R. C. No. 134 - 17 - 18 by Law and Licensing Committee to whom was referred R. O. No. 158 - 17 - 18 by the City Clerk, submitting license applications; recommends denying Beverage Operator's License application No. 1846 (Gina M. Crowe) based upon her ineligibility for a license and her failure to cooperate with the committee. ACCEPT AND ADOPT

MOTION TO ACCEPT AND ADOPT Motion by Susan Holzschuh, second by Ryan Sorenson. Before action was taken, motion by Susan Holzschuh, second by Ryan Sorenson to refer back

to Law and Licensing Committee.

Final Resolution:

Motion Passes Aye: Roman Draughon, Mike Damrow, John Belanger, Todd Wolf, Bryan Bitters, Jim Bohren, Scott Lewandoske, Andrew G Schneider, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 14.

6. MATTERS LAID OVER

6.1 Res. No. 74 - 17 - 18 by Ald. Donohue and Bohren authorizing establishing an appropriation in the 2017 Budget for grant funds received in the Police and Fire Departments. PASS RESOLUTION

MOTION TO PASS RESOLUTION Motion by Jim Bohren, second by Ryan Sorenson.

Final Resolution:

Motion Passes Aye: Roman Draughon, John Belanger, Todd Wolf, Bryan Bitters, Jim Bohren, Scott Lewandoske, Andrew G Schneider, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 12. Nay: Mike Damrow, Susan Holzschuh - 2 .

6.2 Res. No. 62 - 17 - 18 by Ald. Donohue authorizing a transfer of appropriations in the 2017 Budget for contracted services for an Operational Consulting and Departmental Structure of the Fire Department. PASS RESOLUTION

MOTION TO PASS RESOLUTION Motion by Jim Bohren, second by Markus Savaglio.

Final Resolution:

Motion fails as a transfer of appropriations needs 2 / 3 vote of the full Council to pass which is
11.

The vote was 9 to

5. Aye: Roman Draughon, John Belanger, Jim Bohren, Andrew G Schneider, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 9. Nay: Mike Damrow, Todd Wolf, Bryan Bitters, Scott Lewandoske, Susan Holzschuh - 5 .

7. OTHER MATTERS RECEIVED AFTER THE AGENDA WAS PUBLISHED

7.1 Res. No. 81 - 17 - 18 by Ald. Savaglio and Lewandoske directing a public hearing to be held in connection with change of the City's Official Zoning Map for property located at 3530 Lower Falls Road. LIES OVER

7.2 Gen. Ord. No. 20 - 17 - 18 by Ald. Savaglio and Lewandoske amending the City of Sheboygan Official Zoning Map of Sheboygan Zoning Ordinance to change the Use District Classification of property located at 3530 Lower Falls Road from Class PPUD Pre-Planned Unit Development to Class JMKAC PUD Planned Unit Development Classification. REFER TO CITY PLAN COMMISSION

7.3 R. O. No. 186 - 17 - 18 by City Clerk submitting an application from Shawn Mather of tres birds workshop (owner of property - Creation & Preservation Partners, Inc.) for a change in the zoning classification of property located at 3530 Lower Falls Road from Class PPUD Pre-Planned Unit Development to Class JMKAC PUD Planned Unit Development Classification. REFER TO CITY PLAN COMMISSION

7.4 R. O. No. 187 - 17 - 18 by City Clerk submitting various license applications. REFER TO LAW AND LICENSING COMMITTEE

8. ADJOURN MEETING

8.1 Motion to Adjourn

MOTION TO ADJOURN Motion by Todd Wolf, second by Roman Draughon.

Final Resolution:

Motion Passes Aye: Roman Draughon, Mike Damrow, John Belanger, Todd Wolf, Bryan Bitters, Jim Bohren, Scott Lewandoske, Andrew G Schneider, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 14. Generated by Deputy Clerk Meredith DeBruin on Tuesday, October 3, 2017