

City of Sheboygan
2017-09-18

AQZKJM510E20

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

"KNOWLEDGE IS KNOWING A TOMATO IS A FRUIT; WISDOM IS NOT PUTTING IT IN A FRUIT SALAD" ~Miles Kington

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 PRESENTATION OF COLORS - Boy Scout Troop 890 from St. Clement's and Holy Family parishes. Program: Sheboygan Boy Scout Day, Chris Weber BSA, Bay Lakes Council, Dist. Director

1.3 PLEDGE OF ALLEGIANCE

1.4 APPROVAL OF MINUTES

1.5 MAYOR'S APPOINTMENTS KING PARK NEIGHBORHOOD

ATTACHMENT: Mayor s Appointment.pdf

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

1.7 PRESENTATION - 2017 GFOA Distinguished Budget Presentation Award to Mayor Vandersteen by City Administrator Darrell Hofland

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

1.9 BOARD OF WATER COMMISSIONERS ELECTION TO BE HELD ON OCTOBER 2, 2017

2. HEARING

2.1 Hearing No. 6-17-18 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 property located at 2724 Kohler Memorial Dr from Class Suburban Office SO to Class Urban Residential UR.

ATTACHMENT: HEARING.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. 161-17-18 by City Clerk submitting various license applications ALREADY ISSUED. ACCEPT AND FILE

ATTACHMENT: Already Issued.pdf

3.3 R. O. No. 160-17-18 by City Clerk granting various license applications.
ACCEPT AND FILE

ATTACHMENT: One meeting.pdf

3.4 R. C. No. 111-17-18 by Finance and Personnel Committee to whom was referred R. O. No. 49-17-18 by the City Clerk submitting a claim from Progressive Insurance for alleged damages to a Progressive insured vehicle when a City of Sheboygan employee hit the vehicle; recommends the claim be denied and to direct the City Attorney to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 49.pdf

3.5 R. C. No. 112-17-18 by Finance and Personnel Committee to whom was referred R. O. No. 133-17-18 by the City Clerk submitting a claim from Jack and Linda Sowinski for alleged damages to their vehicle when a dead tree branch fell on it; recommends the claim be denied and to direct the City Attorney to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 133.pdf

3.6 R. C. No. 121-17-18 by Finance and Personnel Committee to whom was referred Res. No. 67-17-18 by Ald. Donohue and Bohren approving corrected amendment to the Project Plan of Tax Incremental District 13, City of Sheboygan, Wisconsin; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 67.pdf

3.7 R. C. No. 120-17-18 by Finance and Personnel Committee to whom was referred Res. No. 68-17-18 by Ald. Donohue and Bohren approving a territory and project plan amendment for Tax Incremental District No. 14, City of Sheboygan, Wisconsin; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 68.pdf

3.8 R. C. No. 119-17-18 by Finance and Personnel Committee to whom was referred Res. No. 73-17-18 by Ald. Donohue and Bohren approving the Option to Purchase approximately 14.5 acres of industrial park land in the Sheboygan Business Center between Quasius Enterprises and the City of Sheboygan; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 73.pdf

3.9 R. C. No. 113-17-18 by Public Works Committee to whom was referred R. O. No. 157-17-18 by the City Clerk submitting a communication from Mike and Diane Warner concerning the street in front of their house at 2006 N. 29th Street; recommends the document be accepted and file. ACCEPT AND FILE

ATTACHMENT: RO 157.pdf

3.10 R. C. No. 114-17-18 by Law and Licensing Committee to whom was referred to R. O. No. 158-17-18 by the City Clerk, submitting various license applications for the period ending December 31, 2017, June 30, 2018 and June 30, 2019; recommends that licenses be granted with various caveats. ACCEPT AND ADOPT

ATTACHMENT: Pursuant 158 (Citgo).pdf

3.11 R. C. No. 118-17-18 by Public Works Committee to whom was referred Res. No. 70-17-18 by Ald. Wolf authorizing the Purchasing Agent to enter into contract (s) for the purchase of a bucket truck with tool body for the Department of Public Works; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 70.pdf

4. COMMUNICATION

4.1 Com. No. 1-17-18 presented by Ald. Bohren and Sorenson submitting a communication from Nancy Veenendaal regarding the deer population in the southeast part of Sheboygan. REFER TO PUBLIC SAFETY COMMITTEE

ATTACHMENT: Communication Veenendaal.pdf

5. REPORTS OF OFFICERS

5.1 R. O. No. 162-17-18 by City Plan Commission to whom was referred Gen. Ord. No. 15-17-18 by Ald. Donohue and Ross and R. O. No. 146-17-18 by City Clerk to grant the privilege of encroaching upon described portions of Wisconsin Avenue located at 1331 Wisconsin Avenue in the City of Sheboygan for the purpose of installing and maintaining a private storm sewer that will tie into the public storm sewer within the right-of-way along the south side of Wisconsin Avenue; recommends passing the Ordinance. ACCEPT AND FILE AND PASS ORDINANCE

ATTACHMENT: GO 15.pdf

5.2 R. O. No. 163-17-18 by City Clerk submitting a claim from Daniel D. Payne regarding alleged damages to his vehicle when it was hit by a garbage truck. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: Payne claim.pdf

5.3 R. O. No. 164-17-18 by City Clerk submitting a Summons and Complaint in the matter of U.S. Bank National Association v Luis E. Olmedo et al. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: Summons Olmedo.pdf

5.4 R. O. No. 166-17-18 by City Clerk submitting a communication from Benjamin T. Baumann requesting a waiver from the Sex Offender Residency restrictions in order to reside at 525 N. 15th Street. REFER TO PUBLIC SAFETY COMMITTEE

ATTACHMENT: Baumann.pdf

5.5 R. O. No. 167-17-18 by City Clerk submitting a communication from Phillip Shawn Cheney requesting a waiver from the Sex Offender Residency restrictions in order to reside at 2220 N. 15th Street. REFER TO PUBLIC SAFETY COMMITTEE

ATTACHMENT: Cheney Waiver.pdf

5.6 R. O. No. 168-17-18 by City Clerk submitting a communication from Sovann Soun requesting a waiver from the Sex Offender Residency restrictions in order to reside at 1123/1125 N. 14th Street or 930A Michigan Avenue. REFER TO PUBLIC SAFETY COMMITTEE

ATTACHMENT: Soun Waiver.pdf

5.7 R. O. No. 169-17-18 by City Clerk submitting a communication from Shawn

Heule requesting a waiver from the Sex Offender Residency restrictions in order to reside at 1721 Ashland Avenue. REFER TO PUBLIC SAFETY COMMITTEE

ATTACHMENT: Heule Waiver.pdf

5.8 R. O. No. 165-17-18 by City Clerk submitting a communication by Dolcye Johnson submitting financial documents pertaining to the Fire Department. REFER TO PUBLIC SAFETY COMMITTEE

ATTACHMENT: Dolcye communication.pdf

6. RESOLUTIONS

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. LIES OVER

ATTACHMENT: Police and Fire Grant.pdf

6.2 Res. No. 75-17-18 by Ald. 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. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: Utility Corridor Path.pdf

6.3 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 13th Street Project. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: Stormwater Management.pdf

7. REPORTS OF COMMITTEES

7.1 R. C. No. 115-17-18 by Law and Licensing Committee to whom was referred R. O. No. 128-17-18 by the City Clerk, submitting various license applications; recommends denying Beverage Operator's License application No. 0977 (Eugene A. Osbahr) based upon his record of violations related to the license activity, his record as a habitual law offender, and his failure to cooperate with the committee. ACCEPT AND ADOPT

ATTACHMENT: RO 128.pdf

7.2 R. C. No. 117-17-18 by Law and Licensing Committee to whom was referred, pursuant to R. O. No. 140-17-18 by the City Clerk, submitting various license applications; recommends denying Beverage Operator's License application No. 5247 (Brandy J. Thomas) based upon her record of violations related to the license activity, her record as a habitual law offender, and her failure to cooperate with the committee. ACCEPT AND ADOPT

ATTACHMENT: PURSUANT 140 (Thomas).pdf

7.3 R. C. No. 116-17-18 by Law and Licensing Committee to whom was referred R. O. No. 140-17-18 by the City Clerk submitting various license applications; recommends denying Taxicab License application No. 1819 (Thomas M. Hombs) based upon his record of violations related to the license activity, his record as a habitual law offender, and his failure to cooperate with the committee. ACCEPT AND ADOPT

ATTACHMENT: RO 140.pdf

7.4 R. C. No. 126-17-18 by Finance and Personnel Committee to whom was referred Res. No. 66-17-18 by Ald. Donohue and Bohren authorizing the Purchasing Agent to enter into contract for the complete demolition of the Sheboygan Municipal Auditorium and Armory including restoration of the property so as to prepare the site for future development; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 66.pdf

7.5 R. C. No. 125-17-18 by Finance and Personnel Committee to whom was referred Res. No. 65-17-18 by Ald. Donohue and Bohren authorizing establishing an appropriation in the 2017 Budget for land improvements; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 65.pdf

7.6 R. C. No. 123-17-18 by Finance and Personnel Committee to whom was referred Res. No. 64-17-18 by Ald. Donohue and Bohren amending Res. No. 93-14-15 authorizing the City Administrator to negotiate settlement of certain liability insurance claims; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 64.pdf

7.7 R. C. No. 124-17-18 by Finance and Personnel Committee to whom was referred Res. No. 63-17-18 by Ald. Donohue and Bohren authorizing the appropriate City official to enter into an Intergovernmental Cooperative Agreement with Sheboygan County for Sales Tax Revenue-Sharing for Transportation Infrastructure Maintenance; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 63.pdf

7.8 R. C. No. 127-17-18 by Finance and Personnel Committee to whom was referred DIRECT REFERRAL Res. No. 61-17-18 by Ald. Donohue, Bohren and Wolf adopting certain changes to the City's Medical Benefit Plan and Dental Benefit Plan effective for calendar year 2018 coverage and establishing the monthly premium equivalent rates effective for January 2018 coverage and thereafter; recommends that the attached Substitute Resolution be passed. ACCEPT AND ADOPT AND PASS SUBSTITUTE RESOLUTION

ATTACHMENT: Sub Res 61-17-18.pdf

7.9 R. C. No. 122-17-18 by Public Works Committee to whom was referred Res. No. 72-17-18 by Ald. Bohren, Sorenson, Belanger and Nelson directing the appropriate City Officials to take steps to limit the use of Knoll Crest Drive for construction purposes during the time the State of Wisconsin Department of Transportation Utility Corridor Multi-use Path State Project (Number 4996-22-71) is in progress; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 72.pdf

7.10 R. C. No. 128-17-18 by Public Works Committee to whom was referred Gen. Ord. No. 17-17-18 by Ald. Wolf repealing Gen. Ord. No. 21-71-72 so as to remove the one-way street designation for S. Water Street between Virginia Avenue and

New Jersey Avenue and for New Jersey Avenue between S. 8th Street and S. Water Street; recommends passing the Ordinance. ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: GO 17.pdf

7.11 R. C. No. 129-17-18 by Finance and Personnel Committee to whom was referred Res. No. 71-17-18 by Ald. Donohue establishing the 2018 Budget appropriations and the 2017 Tax Levy for use during the calendar year; recommends passing the Resolution with various caveats. REFER TO COMMITTEE OF THE WHOLE

ATTACHMENT: FINANCE BUDGET.pdf

7.12 R. C. No. 130-17-18 by Law and Licensing Committee to whom was referred a copy of Res. No. 71-17-18 by Ald. Donohue establishing the 2018 Budget appropriations and the 2017 Tax Levy for use during the calendar year; recommends passing the Resolution. REFER TO COMMITTEE OF THE WHOLE

ATTACHMENT: L & L Budget.pdf

7.13 R. C. No. 131-17-18 by Public Safety Committee to whom was referred a copy of Res. No. 71-17-18 by Ald. Donohue establishing the 2018 Budget appropriations and the 2017 Tax Levy for use during the calendar year; recommends passing the Resolution with an amendment. REFER TO COMMITTEE OF THE WHOLE

ATTACHMENT: Public Safety Budget.pdf

7.14 R. C. No. 132-17-18 by Public Works Committee to whom was referred Res. No. 71-17-18 by Ald. Donohue establishing the 2018 Budget appropriations and the 2017 Tax Levy for use during the calendar year; recommends passing the Resolution. REFER TO COMMITTEE OF THE WHOLE

ATTACHMENT: PUBLIC WORKS BUDGET.pdf

8. ORDINANCES

8.1 Gen. Ord. No. 18-17-18 by Ald. Donohue, Bohren, Wolf, Rindfleisch and Ross amending Section 82-33 of the Sheboygan Municipal Code so as to amend a position in the Human Resources Department Table of Organization. LIES OVER

ATTACHMENT: HR TO.pdf

8.2 Gen. Ord. 19-17-18 by Ald. Donohue, Wolf and Draughton repealing and recreating 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. REFER TO PUBLIC SAFETY COMMITTEE

ATTACHMENT: BOARD OF LICENSE EXAMINERS ALTERNATE.pdf

9. MATTERS LAID OVER

9.1 R. O. No. 142-17-18 by City Plan Commission to whom was referred Gen. Ord. No. 11-17-18 by Ald. Holzschuh and Schneider and R. O. No. 77-17-18 by City Clerk for a communication from Acuity Insurance submitting a Petition for Direct Annexation by unanimous approval for certain lands currently located in the Town of Sheboygan. ACCEPT AND FILE AND PASS ORDINANCE

ATTACHMENT: R.O. No. 142-17-18.pdf

9.2 R. O. No. 143-17-18 by City Plan Commission to whom was referred Gen. Ord. No. 12-17-18 by Ald. Savaglio and Lewandoske and R. O. No. 139-17-18 by City Clerk to rezone property located at 2724 Kohler Memorial Dr. from Class Suburban Office SO to Class Urban Residential UR. ACCEPT AND FILE AND PASS ORDINANCE

ATTACHMENT: R.O. No. 143-17-18.pdf

9.3 R. O. No. 144-17-18 by City Plan Commission approving the proposed corrected amendment to the Project Plan of Tax Incremental District 13, City of Sheboygan, Wisconsin; ACCEPT AND FILE AND PASS RESOLUTION

ATTACHMENT: R.O. No. 144-17-18.pdf

9.4 R. O. No. 145-17-18 by City Plan Commission approving the proposed corrected amendment to the Project Plan Amendment for Tax Incremental District 14, City of Sheboygan, Wisconsin. ACCEPT AND FILE AND PASS RESOLUTION

ATTACHMENT: R.O. No. 145-17-18.pdf

9.5 R. C. No. 106-17-18 by Committee of the Whole to whom was referred Res. No. 30-17-18 by Ald. Belanger authorizing the Purchasing Agent to enter into contract for professional services related to performance of an Operational and Departmental Structure study for the Sheboygan Fire Department. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: R.C. No. 106-17-18.pdf

9.6 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

ATTACHMENT: RES. No. 62-17-18.pdf

9.7 R. C. No. 110-17-18 by Finance and Personnel Committee to whom was referred a copy of Gen. Ord. No. 11-17-18 by Ald. Holzschuh and Schneider annexing territory to the City of Sheboygan, Wisconsin (Acuity). ACCEPT AND FILE

ATTACHMENT: R. C. No. 110-17-18.pdf

9.8 Gen. Ord. No. 13-17-18 by Ald. Donohue, Bohren, Wolf, Rindfleisch and Ross amending Section 82-33 of the Sheboygan Municipal Code so as to amend a position in the Department of Public Works, Engineering Division, in the Department of Public Works Table of Organization. PASS ORDINANCE

ATTACHMENT: Gen. Ord. No. 13-17-18.pdf

10. OTHER MATTERS RECEIVED AFTER THE AGENDA WAS PUBLISHED

10.1 An R. O. by the City Clerk submitting various license applications. REFER TO LAW AND LICENSING COMMITTEE

ATTACHMENT: REFERRED RO.pdf

11. CLOSED SESSION

11.1 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 for a development opportunity in the South Pier District.

12. ADJOURN MEETING

12.1 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