

City of Sheboygan
2017-09-05

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CITY OF SHEBOYGAN

ELEVENTH REGULAR COMMON COUNCIL MEETING

Tuesday, September 5, 2017

ALDERPERSON PRESENT: Roman Draughon, Mike Damrow, John Belanger, Todd Wolf, Rosemarie Trester, Jim Bohren, Scott Lewandoske, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

ALDERPERSON ABSENT AND EXCUSED:

Andrew Schneider, Mary Lynne Donohue, Bryan Bitters - 3 .

Meeting called to order at 6: 00 PM

1. OPENING OF MEETING

1.1 ROLL CALL

1.2 PLEDGE OF ALLEGIANCE

1.3 APPROVAL OF MINUTES

MOTION TO APPROVE MINUTES Motion by Todd Wolf, second by Roman Draughon.

Final Resolution:

Motion Passes Aye: Roman Draughon, Mike Damrow, John Belanger, Todd Wolf, Rosemarie Trester, Jim Bohren, Scott Lewandoske, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

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

1.5 PRESENTATION - UPDATE ON ACTIVITIES AND PIER SAFETY VIDEO OF THE WATER SAFETY TASK FORCE - Joe Kerlin, Parks and Forestry Superintendent

1.6 PRESENTATION - 2018 EXECUTIVE BUDGET by City Administrator Darrell Hofland

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.

Resolution:

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, Rosemarie Trester, Jim Bohren, Scott Lewandoske, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

2.2 R. O. No. 141 - 17 - 18 by the City Clerk granting various licenses (Gesangverein Concordia). ACCEPT 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, Rosemarie Trester, Jim Bohren, Scott Lewandoske, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

2.3 R. C. No. 105 - 17 - 18 by Law and Licensing Committee to whom was referred, pursuant to R. O. No. 140 - 17 - 18 by the City Clerk various license applications; recommends that 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, Rosemarie Trester, Jim Bohren, Scott Lewandoske, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

2.4 R. C. No. 107 - 17 - 18 by Public Safety Committee to whom was referred Res. No. 57 - 17 - 18 by Ald. Draughon authorizing application for the 2017 Justice Assistance Grant Program Award (Local Solicitation) and entering into a Memorandum of Understanding with Sheboygan County; recommends passing the

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, Rosemarie Trester, Jim Bohren, Scott Lewandoske, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

2.5 R. C. No. 104 - 17 - 18 by Public Works Committee to whom was referred R. O. No. 134 - 17 - 18 by the City Clerk submitting a communication from the Nursing Supervisor at Aurora requesting a crosswalk and destination to improve safety for pedestrians crossing N. 25 th St. to get to the Sheboygan Clinic; recommends that the document be placed on file. 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, Rosemarie Trester, Jim Bohren, Scott Lewandoske, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

2.6 R. C. No. 108 - 17 - 18 by Public Works Committee to whom was referred Res. No. 58 - 17 - 18 by Ald. Wolf authorizing the Mayor to sign the Underground Flammable/Combustible/Hazardous Liquid Storage Tank Registration for the tank at the NE Quad of Calumet Dr. and Main Ave.; recommends passing the 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, Rosemarie Trester, Jim Bohren, Scott Lewandoske, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

2.7 R. C. No. 109 - 17 - 18 by Public Works Committee to whom was referred Res. No. 59 - 17 - 18 by Ald. Wolf authorizing the appropriate City Officials to execute a Lease Agreement between the City of Sheboygan, 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

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, Rosemarie Trester, Jim Bohren, Scott Lewandoske, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

3. REPORTS OF OFFICERS

3.1 R. O. No. 142 - 17 - 18 by City Plan Commission to whom was referred G. O. No. 11 - 17 - 18 by Ald. Holzschuh and Schneider and R. O. No. 77 - 17 - 18 by the City Clerk submitting, from Acuity Insurance, a Petition for Direct Annexation by unanimous approval for certain lands currently located in the Town of Sheboygan; recommends passing the Ordinance. LIES OVER

3.2 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 the City Clerk to rezone property located at 2724 Kohler Memorial Dr. from Class Suburban Office to Class Urban Residential; recommends passing the Ordinance. LIES OVER

3.3 R. O. No. 144 - 17 - 18 by City Plan Commission who met and discussed the proposed Resolution approving a corrected amendment to the Project Plan of Tax Incremental District 13, City of Sheboygan, Wisconsin; states that they are in favor of passing the Resolution approving a corrected amendment to the Project Plan of Tax Incremental District 13, City of Sheboygan, Wisconsin. LIES OVER

3.4 R. O. No. 145 - 17 - 18 by City Plan Commission who met and discussed the proposed Resolution approving a Territory and Project Plan Amendment for Tax Incremental District 14, City of Sheboygan, Wisconsin; states that they are in favor of passing the Resolution approving the Territory and Project Plan Amendment for Tax Incremental District 14, City of Sheboygan, Wisconsin. LIES OVER

3.5 R. O. No. 146 - 17 - 18 by the City Clerk submitting a communication from Ron Becker, owner of Transpo Storage, requesting an encroachment for the proposed Transpo Storage facility located at 1331 Wisconsin Ave. as the redeveloping of the site requires additional private storm sewer. REFER TO CITY PLAN COMMISSION

3.6 R. O. No. 147 - 17 - 18 by City Clerk submitting a communication from State of Wisconsin Department of Corrections on behalf of Nicky Weisberg requesting a waiver from the Sex Offender Residency restrictions in order to be placed at 1123 / 1125 North 14 th Street or 930 A Michigan Avenue depending on availability. REFER TO PUBLIC SAFETY COMMITTEE

3.7 R. O. No. 148 - 17 - 18 by City Clerk submitting a communication from State of Wisconsin Department of Corrections on behalf of Martinez Wallace requesting a waiver from the Sex Offender Residency restrictions in order to be placed at 1123 / 1125 North 14 th Street or 930 A Michigan Avenue depending on availability. REFER TO PUBLIC SAFETY COMMITTEE

3.8 R. O. No. 149 - 17 - 18 by City Clerk submitting a communication from State of Wisconsin Department of Corrections on behalf of Calvin Gideon requesting a waiver from the Sex Offender Residency restrictions in order to be placed at 1123 / 1125 North 14 th Street or 930 A Michigan Avenue depending on availability. REFER TO PUBLIC SAFETY COMMITTEE

3.9 R. O. No. 150 - 17 - 18 by City Clerk submitting a communication from Leroy Godard requesting a waiver from the Sex Offender Residency restrictions in order to reside at 1123 N. 14 th Street. REFER TO PUBLIC SAFETY COMMITTEE

3.10 R. O. No. 151 - 17 - 18 by City Clerk submitting a communication from Luis Ernesto Mendez requesting a waiver from the Sex Offender Residency restrictions in order to reside at 827 Georgia Avenue. REFER TO PUBLIC SAFETY COMMITTEE

3.11 R. O. No. 152 - 17 - 18 by City Clerk submitting a communication from Joseph J. McNichols requesting a waiver from the Sex Offender Residency restrictions in order to reside at 415 Niagara Avenue. REFER TO PUBLIC SAFETY COMMITTEE

3.12 R. O. No. 153 - 17 - 18 by City Clerk submitting a communication from Ruben Aguiliar requesting a waiver from the Sex Offender Residency restrictions in order to reside at 2527 Camelot Blvd., Apt. C. REFER TO PUBLIC SAFETY COMMITTEE

3.13 R. O. No. 154 - 17 - 18 by City Clerk submitting a communication from Andrew Tershner requesting a waiver from the Sex Offender Residency restrictions in order to reside at 1101 Swift Avenue. REFER TO PUBLIC SAFETY COMMITTEE

3.14 R. O. No. 155 - 17 - 18 by City Clerk submitting a claim from Kenneth Reinemann regarding alleged damages to his property at 1526 Ohio Avenue due to a sewer back up. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.15 R. O. No. 156 - 17 - 18 by Board of Water Commissioners submitting, as a matter of record, in accordance with the Finance Committee request dated March 1, 1991, the Sheboygan Water Utility's Budget for the year 2018. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.16 R. O. No. 157 - 17 - 18 by City Clerk submitting a communication from Mike and Diane Warner concerning the street in front on their house at 2006 North 26

th Street. REFER TO PUBLIC WORKS COMMITTEE

4. RESOLUTIONS

4.1 Res. No. 62 - 17 - 18 by Ald. Donohue to authorize a transfer of appropriations in the 2017 Budget for contracted services for an Operational Consulting and Departmental Structure of the Fire Dept. LIES OVER

4.2 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. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.3 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. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.4 Res. No. 65 - 17 - 18 by Ald. Donohue and Bohren authorizing establishing an appropriation in the 2017 Budget for land improvements. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.5 Res. No. 66 - 17 - 18 by Ald. Donohue and Bohren authorizing entering 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. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.6 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. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.7 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. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.8 Res. No. 69 - 17 - 18 by Ald. Nelson and Bitters officially recognizing the King Park Neighborhood Association. REFER TO MAYOR'S NEIGHBORHOOD LEADERSHIP CABINET

4.9 Res. No. 70 - 17 - 18 by Ald. Wolf authorizing entering into contract(s)

for the purchase of a bucket truck with tool body for the Dept. of Public Works.
REFER TO PUBLIC WORKS COMMITTEE

4.10 Res. No. 71 - 17 - 18 by Ald. Donohue establishing the 2018 Budget appropriations and the 2017 Tax Levy for use during the calendar year. REFER TO FINANCE/PERSONNEL COMMITTEE, PUBLIC SAFETY COMMITTEE, PUBLIC WORKS COMMITTEE AND LAW AND LICENSING COMMITTEE

4.11 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 Dept. of Transportation Utility Corridor Multi-use Path State Project is in progress. REFER TO PUBLIC WORKS COMMITTEE

5. REPORTS OF COMMITTEES

5.1 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); recommends passing Ordinance. LIES OVER

5.2 R. C. No. 101 - 17 - 18 by Law and Licensing Committee to whom was referred R. O. No. 104 - 17 - 18 by the City Clerk submitting various license applications; recommends that Beverage Operator's License application No. 1751 (Gewell R. James, Sr.) be denied based upon his record of violations related to the licensed activity, his record as a habitual law offender, and his failure to cooperate with the Committee. ACCEPT AND ADOPT

MOTION TO ACCEPT AND ADOPT Motion by Susan Holzschuh, second by Rosemarie Trester.

Final Resolution:

Motion Passes Aye: Roman Draughon, Mike Damrow, John Belanger, Todd Wolf, Rosemarie Trester, Jim Bohren, Scott Lewandoske, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

5.3 R. C. No. 103 - 17 - 18 by Law and Licensing Committee to whom was referred, pursuant to R. O. No. 128 - 17 - 18 by the City Clerk, submitting license applications; recommends that Beverage Operator's License application No. 1806 (Chynna L. Botzau) be denied based upon her record of violations related to the licensed activity, her record as a habitual law offender, and her failure to cooperate with the Committee. ACCEPT AND ADOPT

MOTION TO ACCEPT AND ADOPT Motion by Susan Holzschuh, second by Rosemarie Trester.

Final Resolution:

Motion Passes Aye: Roman Draughon, Mike Damrow, John Belanger, Todd Wolf, Rosemarie Trester, Jim Bohren, Scott Lewandoske, Susan Holzschuh, Ryan

Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

5.4 R. C. No. 102 - 17 - 18 by Law and Licensing Committee to whom was referred, pursuant to R. O. No. 128 - 17 - 18 by the City Clerk, submitting various license applications; recommends that Taxicab Driver's License application No. 1780 (Frederick C. McFate) be denied based upon his record of violations related to the licensed activity, his record as a habitual law offender, and his failure to cooperate with the Committee. ACCEPT AND ADOPT

MOTION TO ACCEPT AND ADOPT Motion by Susan Holzschuh, second by Rosemarie Trester.

Final Resolution:

Motion Passes Aye: Roman Draughon, Mike Damrow, John Belanger, Todd Wolf, Rosemarie Trester, Jim Bohren, Scott Lewandoske, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

5.5 R. C. No. 100 - 17 - 18 by Committee of the Whole to whom was referred R. C. No. 60 - 17 - 18 by Finance and Personnel Committee and R. O. No. 19 - 17 - 18 by the Director of Human Resources and Labor Relations and the Fire Chief submitting a report on the audit and review of the Fire Department's job descriptions, the identification of any over-lapping duties and responsibilities and any recommendations resulting from the study. ACCEPT AND FILE

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, Rosemarie Trester, Jim Bohren, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 12. Nay: Scott Lewandoske - 1 .

5.6 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. LIES OVER

6. GENERAL ORDINANCE

6.1 Gen. Ord. No. 13 - 17 - 18 by Ald. Donohue, Bohren, Wolf, Rindfleisch and Ross amending the Municipal Code so as to amend a position in the Dept. of Public Works, Engineering Division, in the the Dept. of Public Works Table of Organization. LIES OVER

6.2 Gen. Ord. No. 14 - 17 - 18 by Ald. Bohren and Sorenson annexing territory owned by the City to the City of Sheboygan, Wisconsin. REFER TO CITY PLAN COMMISSION

6.3 Gen. Ord. No. 15 - 17 - 18 by Ald. Donohue and Ross granting Transpo

Storage the privilege of encroaching on portions of Wisconsin Ave. located at 1331 Wisconsin Ave. 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 Ave. REFER TO CITY PLAN COMMISSION

6.4 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. REFER TO PUBLIC SAFETY COMMITTEE

6.5 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. 8 th Street and S. Water Street. REFER TO PUBLIC WORKS COMMITTEE

7. MATTERS LAID OVER

7.1 Res. No. 56 - 17 - 18 by Ald. Bohren and Wolf authorizing establishing an appropriation in the 2017 Budget for Information Technology equipment. PASS RESOLUTION

MOTION TO PASS RESOLUTION Motion by Jim Bohren, second by Todd Wolf.

Final Resolution:

Motion Passes Aye: Roman Draughon, Mike Damrow, John Belanger, Todd Wolf, Rosemarie Trester, Jim Bohren, Scott Lewandoske, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

Res. No. 60 - 17 - 18 by Ald. Savaglio and Lewandoske directing a public hearing to be held in connection with a change of the City's Official Zoning Map for property located at 2724 Kohler Memorial Drive. PASS RESOLUTION

MOTION TO PASS RESOLUTION Motion by Scott Lewandoske, second by Markus Savaglio.

Final Resolution:

Motion Passes Aye: Roman Draughon, Mike Damrow, John Belanger, Todd Wolf, Rosemarie Trester, Jim Bohren, Scott Lewandoske, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

8. OTHER MATTERS RECEIVED AFTER AGENDA WAS PUBLISHED

8.1 A Resolution 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 City of Sheboygan. REFER TO FINANCE AND PERSONNEL COMMITTEE

8.2 A R. O. by the City Clerk submitting various license applications for the period ending December 31, 2017, June 30, 2018 and June 30, 2019. REFER TO LAW AND LICENSING COMMITTEE

9. CLOSED SESSION

9.1 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 adjacent to I- 43.

MOTION TO CONVENE IN CLOSED SESSION Motion by Todd Wolf, second by Roman Draughon.

Final Resolution:

Motion Passes Aye: Roman Draughon, Mike Damrow, John Belanger, Todd Wolf, Rosemarie Trester, Jim Bohren, Scott Lewandoske, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

10. ADJOURN MEETING

10.1 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, Rosemarie Trester, Jim Bohren, Scott Lewandoske, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

Generated by City Clerk Susan Richards on Wednesday, September 6, 2017