

CITY OF SHEBOYGAN

SEVENTH REGULAR COMMON COUNCIL MEETING

Monday, July 3, 2017

ALDERPERSONS PRESENT: Roman Draughon, John Belanger, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Scott Lewandoske, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 14. ALDERPERSONS ABSENT AND EXCUSED:

Andrew Schneider, Mike Damrow - 2 .

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, John Belanger, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Scott Lewandoske, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 14.

1.4 PRESENTATION - Sheboygan Business Park Expansion by Ruckert Mielke.

1.5 PUBLIC FORUM - Limit of 5 people having 5 minutes each with comments limited only to items on this agenda. Terence Doyle, Debbie Desmoulin, Mary

Faydash, Alizee Desmoulin all spoke.

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

2. HEARING

2.1 Hearing No. 5 - 17 - 18 pursuant to a notice published and personal notices sent by the City Clerk, a hearing is scheduled for this evening for the proposed assessments for water lateral replacement in Michigan Avenue from North 3 rd Street to North 4 th Street.

No one spoke at the hearing. MOTION TO CLOSE HEARING Motion by Todd Wolf, second by Roman Draughon.

Final Resolution:

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

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.

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, John Belanger, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Scott Lewandoske, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 14.

3.2 R. O. No. 70 - 17 - 18 by the Bd. of Water Commissioners filing various documents. ACCEPT AND FILE

Resolution:

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

Final Resolution:

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

3.3 Res. No. 41 - 17 - 18 by Ald. Donohue and Ross confirming the exercise of police power in making an assessment for those benefited properties against which assessments are proposed for the water lateral replacement in Michigan Avenue from North 3 rd Street to North 4 th Street. PASS RESOLUTION

Resolution:

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

Final Resolution:

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

3.4 R. C. No. 64 - 17 - 18 by Public Works Committee to whom was referred Res. No. 37 - 17 - 18 by Ald. Wolf authorizing the appropriate City Officials to enter into an agreement for the Michigan Avenue Storm Sewer Replacement; recommends that the Resolution be passed. 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, John Belanger, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Scott Lewandoske, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 14.

3.5 R. C. No. 62 - 17 - 18 by Law and Licensing Committee to whom was referred, pursuant to R. O. No. 53 - 17 - 18 by the City Clerk, various license applications; recommends granting licenses.. ACCEPT AND ADOPT

Resolution:

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

Final Resolution:

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

3.6 R. C. No. 63 - 17 - 18 by Law and Licensing Committee to whom was referred, pursuant to R. O. No. 69 - 17 - 18 by the City Clerk, submitting various license applications; recommends granting licenses. ACCEPT AND ADOPT

Resolution:

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

Final Resolution:

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

4. REPORTS OF OFFICERS

4.1 R. O. No. 71 - 17 - 18 by Dir. of Planning and Development submitting a request from Chad Pelishek, for the Discovery World Museum to dock the Denis Sullivan at South Pier on August 15, 2017 and waiving any docking fees. SUSPEND AND APPROVE THE REQUEST

MOTION TO SUSPEND AND APPROVE THE REQUEST Motion by Todd Wolf, second by Roman Draughon.

Final Resolution:

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

4.2 R. O. No. 72 - 17 - 18 by the Director of Human Resources and Labor Relations and the Fire Chief submitting the Sheboygan Fire Department Administrative Study - A Report of Findings and Recommendations - City of Sheboygan Fire Department Administrative Study July 2017 with Sections 1 and 2. ACCEPT AND FILE MOTION TO ACCEPT AND FILE Motion by Todd Wolf, second by Roman Draughon.

Final Resolution:

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

4.3 R. O. No. 73 - 17 - 18 by City Clerk submitting a communication from Nina Stapel regarding the annexation and the SR- 5 zoning of her property into the City of Sheboygan. ACCEPT AND FILE MOTION TO ACCEPT AND FILE Motion by Todd Wolf, second by Roman Draughon.

Final Resolution:

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

4.4 R. O. No. 76 - 17 - 18 by City Clerk submitting a communication from Jayne Zabrowski regarding photos of Kohler's proposed development sites on state park property taken by Jim Buchholz, Past Superintendent at Kohler Andrae State Park. ACCEPT AND FILE

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

Final Resolution:

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

4.5 R. O. No. 74 - 17 - 18 by the City Clerk submitting a communication from Friends of the Black River Forest, sharing what they have learned and experienced over the years of following the Kohler Company's actions and Public Relations representations of their projects.

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

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

4.6 R. O. No. 75 - 17 - 18 by City Plan Commission to whom was referred Res. No. 36 - 17 - 18 by Ald. Bitters and Donohue approving the Capital Improvements Program recommended by the Capital Improvements Commission, for the program period of 2018 - 2022 and adopting the program for implementation. ACCEPT AND ADOPT AND PASS THE RESOLUTION

MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTION Before action was taken,

Motion by John Belanger, second by Rosemarie Trester Hold the document until Carol Wirth is present to discuss this with her and with the Council

Final Resolution:

Motion Fails Aye: John Belanger, Rosemarie Trester - 2 . Nay: Roman Draughon, Todd Wolf, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Scott Lewandoske, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 12 .

MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTION Motion by John Belanger, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Roman Draughon, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Scott Lewandoske, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13. Nay: John Belanger - 1 .

4.7 R. O. No. 77 - 17 - 18 by City Clerk submitting a communication from Acuity Insurance submitting a Petition for Direct Annexation by Unanimous Approval for certain lands currently located in the Town of Sheboygan. REFER TO CITY PLAN COMMISSION

4.8 R. O. No. 78 - 17 - 18 by City Clerk submitting a claim from Nick Deligiannis for alleged damages to his vehicle's muffler when it bottomed out in

the alley between 7 th and 8 th Street on a raised piece of concrete. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.9 R. O. No. 79 - 17 - 18 by City Clerk submitting a claim from Mark Lehmann for alleged damages to his property when a City garbage truck backed into the yard at 1209 S 17 th Street. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.10 R. O. No. 80 - 17 - 18 by City Clerk submitting a claim from Paul Timmerman for alleged damages to his vehicle's tire sidewall when a pothole opened up as he drove over a rough section of road on Camelot Blvd. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.11 R. O. No. 81 - 17 - 18 by City Clerk submitting a communication from James Canon requesting a waiver from the Sex Offender Residency restrictions in order to reside at 2208 North 8 th Street. REFER TO PUBLIC SAFETY COMMITTEE

4.12 R. O. No. 82 - 17 - 18 by City Clerk submitting a communication from Matthew Donald Kunert requesting a waiver from the Sex Offender Residency restrictions in order to reside at 1013 Humboldt Avenue. REFER TO PUBLIC SAFETY COMMITTEE

4.13 R. O. No. 83 - 17 - 18 by City Clerk submitting a communication from Andrew T. Borger requesting a waiver from the Sex Offender Residency restrictions in order to reside at 916 A Michigan Avenue. REFER TO PUBLIC SAFETY COMMITTEE

5. RESOLUTIONS

5.1 Res. No. 42 - 17 - 18 by Ald. Wolf authorizing accepting a grant from the Sheboygan County in the amount of \$6,925 to be used towards the ADA kayak/canoe launch facility at Kiwanis Park. LIES OVER

5.2 Res. No. 43 - 17 - 18 by Ald. Wolf authorizing the appropriate City Officials to enter into an agreement for construction of the Sheboygan Skate Park at Kiwanis Park. REFER TO PUBLIC WORKS COMMITTEE

6. REPORTS OF COMMITTEES

6.1 R. C. No. 65 - 17 - 18 by Finance and Personnel Committee to whom was

referred DIRECT REFERRAL Res. No. 39 - 17 - 18 by Ald. Donohue and Bohren approving the FY 2017 One-Year Annual Action Plan for the Community Development Block Grant (CDBG) Program Submission; recommends passing Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTION Motion by Mary Lynne Donohue, second by Jim Bohren.

Final Resolution:

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

6.2 R. C. No. 66 - 17 - 18 by Finance and Personnel Committee to whom was referred DIRECT REFERRAL Res. No. 40 - 17 - 18 by Ald. Donohue and Bohren authorizing accepting a grant from the Fund for Lake Michigan in the amount of \$30,000 to be used for Adopt A Beach and Adopt a Coastal Habitat education; recommends passing Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTION Motion by Mary Lynne Donohue, second by Jim Bohren.

Final Resolution:

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

6.3 R. C. No. 61 - 17 - 18 by Finance and Personnel Committee to whom was referred R. O. No. 62 - 17 - 18 by the City Clerk submitting a request from Mayor Vandersteen, on behalf of the City of Sheboygan, to use one of the City's free Blue Harbor Conference Center days to host a meeting of the Urban Alliance League of Wisconsin Municipalities on July 28, 2017 ; recommends approving the request. ACCEPT AND APPROVE REQUEST

MOTION TO ACCEPT AND APPROVE THE REQUEST Motion by Mary Lynne Donohue, second by Jim Bohren.

Final Resolution:

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

7. MATTERS LAID OVER

7.1 Res. No. 35 - 17 - 18 by Ald. Donohue and Bohren authorizing establishing an appropriation in the 2017 Budget for purchase of land and building. PASS RESOLUTION

MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTION Motion by Mary Lynne Donohue, second by Jim Bohren.

Final Resolution:

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

7.2 Res. No. 38 - 17 - 18 by Ald. Wolf authorizing the purchase of 606 North 9th Street (former Social Security office) for future use by the City. PASS RESOLUTION Motion by Todd Wolf, second by Roman Draughon.

Final Resolution:

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

8. OTHER MATTERS RECEIVED AFTER THE AGENDA WAS PUBLISHED

8.1 R. O. No. 84 - 17 - 18 by the City Clerk submitting various license applications. REFER TO LAW AND LICENSING COMMITTEE

8.2 R. O. No. 85 - 17 - 18 by the City Clerk submitting a communication from Roger Miller regarding the Kohler Co. annexation petition in the Town of Wilson. LIES OVER

9. DISCHARGE THE COMMITTEE OF THE WHOLE

9.1 MOTION TO DISCHARGE THE COMMITTEE OF THE WHOLE regarding R. C. No. 60 - 17 - 18 by Finance and Personnel Committee to whom was referred 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.

MOTION TO DISCHARGE RE: R.C. NO. 60 - 17 - 18 Motion by Mary Lynne Donohue, second by Andy Ross.

Final Resolution:

Motion Fails Aye: Scott Lewandoske, Ryan Sorenson - 2. Nay: Roman Draughon, John Belanger, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Susan Holzschuh, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 12 .

9.2 MOTION TO DISCHARGE THE COMMITTEE OF THE WHOLE regarding 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.

MOTION TO discharge the Committee of the Whole Motion by Mary Lynne Donohue, second by Ryan Sorenson.

Final Resolution:

Motion Fails Aye: Scott Lewandoske - 1. Nay: Roman Draughon, John Belanger, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

9.3 R. C. No. 60 - 17 - 18 by Finance and Personnel Committee to whom was referred 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 results from the study.

AS MOTION TO DISCHARGE THE C.O.W. WAS LOST, THIS DOCUMENT REMAINS IN THE C.O.W. REFERRAL FOLDER.

9.4 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 Dept.

AS MOTION TO DISCHARGE THE C.O.W. WAS LOST, THIS DOCUMENT REMAINS IN THE C.O.W. REFERRAL FOLDER.

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, John Belanger, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Scott Lewandoske, Susan Holzschuh, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 14. Generated by Deputy Clerk Meredith DeBruin on Thursday, July 6, 2017