

City of Sheboygan
2017-05-01

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CITY OF SHEBOYGAN

THIRD REGULAR COMMON COUNCIL MEETING

Monday, May 1, 2017

ALDERPERSONS PRESENT: Roman Draughon, Mike Damrow, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Scott Lewandoske, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13. ALDERPERSONS ABSENT AND EXCUSED: Andrew Schneider, Susan Holzschuh, John Belanger - 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, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Scott Lewandoske, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

1.4 RESIGNATIONS - None

1.5 MAYOR'S APPOINTMENTS - Kyle Whelton to the Library Board

1.6 PUBLIC FORUM - Limit of 5 people having 5 minutes each with comments limited only to items on this agenda. - No one spoke at the Public Forum.

2. HEARINGS

2.1 Hearing No. 1 - 17 - 18 for proposed assessments for water laterals in Broadway Avenue from South 7 th Street to South 13 th Street.

Terry Doyle spoke at the hearing. MOTION TO CLOSE Motion by Todd Wolf, second by Roman Draughon.

Final Resolution:

Motion Passes Aye: Roman Draughon, Mike Damrow, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Scott Lewandoske, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross

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 ADOPT 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, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Scott Lewandoske, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

3.2 R. O. No. 7 - 17 - 18 by the City Clerk submitting various license applications already issued. 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, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Scott Lewandoske, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

3.3 R. O. No. 8 - 17 - 18 by Board of Water Commissioners submitting their report from the Water Utility for the first quarter of 2017. 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, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Scott Lewandoske, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

3.4 R. O. No. 9 - 17 - 18 by the Board of Water Commissioners submitting the 2016 Annual Financial Statements, including Independent Auditor's Report on the

Sheboygan Water Utility, and the 2016 Annual Report to the Public Service Commission (PSC) of Wisconsin. 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, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Scott Lewandoske, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13.

3.5 Res. No. 2 - 17 - 18 by Ald. Bitters and Nelson confirming proposed assessments for water lateral replacements in Broadway Avenue from South 7 th Street to South 13 th Street. PASS RESOLUTION

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

Final Resolution:

Motion Passes Aye: Roman Draughon, Mike Damrow, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 10. Nay: Bryan Bitters, Jim Bohren, Scott Lewandoske - 3 .

3.6 Res. No. 3 - 17 - 18 by Ald. Wolf, Belanger, Draughon, Rindfleisch, Ross, and Donohue intent to levy special assessments for the replacement of lead and/or galvanized iron water laterals in Michigan Avenue from N. 3 rd Street to N. 4 th Street and North Avenue from N. 15 th Street to N. 19 th Street. PASS RESOLUTION

Resolution:

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

Final Resolution:

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

3.7 Res. No. 11 - 17 - 18 by Ald. Bitters and Nelson directing a public hearing to be held in connection with a change of the City's Official Zoning Map for property located at 2010 S. 19 th St (Parcel No. 413880). PASS RESOLUTION

Resolution:

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

Final Resolution:

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

3.8 Res. No. 12 - 17 - 18 by Ald. Bitters and Nelson directing a public hearing to be held in connection with a change of the City's Official Zoning Map for property located at 2010 S. 19 th Street (Parcel No. 413870). PASS RESOLUTION

Resolution:

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

Final Resolution:

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

3.9 Res. No. 15 - 17 - 18 by Ald. Wolf amending Res. No. 231 - 16 - 17 by Ald. Belanger authorizing the City Engineer (replacing the words City Officials) to apply for a grant from the Wisconsin Dept. of Natural Resources.

Resolution:

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

Final Resolution:

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

3.10 R. C. No. 1 - 17 - 18 by Law and Licensing to whom was referred R. O. No. 295 - 16 - 17 by the City Clerk submitting various licenses; recommends granting licenses (Brennan's). 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, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Scott Lewandoske, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

3.11 R. C. No. 2 - 17 - 18 by Law and Licensing to whom was referred R. O. No. 287 - 16 - 17 by the City Clerk submitting various licenses; recommends granting license (Manning). 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, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Scott Lewandoske, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

3.12 R. O. No. 10 - 17 - 18 by the City Clerk granting various license applications. (PEO Chapter CJ). 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, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Scott Lewandoske, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

4. REPORTS OF OFFICERS

4.1 R. O. No. 11 - 17 - 18 by City Administrator presenting the first quarter City of Sheboygan - Strategic Plan 2017 Action Items and Critical Measures update to the Common Council. 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, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Scott Lewandoske, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

4.2 R. O. No. 13 - 17 - 18 by City Clerk submitting application from Alliant Energy for a change in zoning classification of property located at 2010 S. 19 th St from Class Urban Industrial UI to Class Neighborhood Residential NR- 6 Classification (Parcel no. 413870). REFER TO CITY PLAN COMMISSION

4.3 R. O. No. 14 - 17 - 18 by City Clerk submitting application from Alliant Energy for a change in zoning classification of property located at 2010 S. 19 th St from Class Urban Industrial UI to Class Neighborhood Residential NR- 6 Classification (Parcel no. 413880). REFER TO CITY PLAN COMMISSION

4.4 R. O. No. 1 - 17 - 18 by City Administrator submitting the City of Sheboygan Citizen Engagement Program to the Common Council. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.5 R. O. No. 2 - 17 - 18 by City Clerk submitting a communication from Angela Smith who resides at 1410 Illinois Ave. raising concerns regarding activities of Thomas Industries that may possibly violate noise and lighting ordinances of the City of Sheboygan. REFER TO PUBLIC SAFETY COMMITTEE

4.6 R. O. No. 3 - 17 - 18 by City Clerk submitting a communication from Jaclyn Quasius on behalf of the Sheboygan Jaycees requesting the review and approval of the operating hours for the annual Brat Day's festival located at Kiwanis Park to be held Thursday, August 3 rd, 2017 through Saturday, August 5 th, 2017. REFER TO PUBLIC SAFETY COMMITTEE

4.7 R. O. No. 4 - 17 - 18 by City Clerk submitting a communication from Jacob Daniel requesting a waiver from the Sex Offender Residency restrictions in order to reside at 2620 Pershing Ave. REFER TO PUBLIC SAFETY COMMITTEE

4.8 R. O. No. 5 - 17 - 18 by City Clerk submitting a communication from Christopher Riley requesting a waiver from the Sex Offender Residency restrictions in order to live at 414 Niagara Ave. REFER TO PUBLIC SAFETY COMMITTEE

4.9 R. O. No. 6 - 17 - 18 by City Clerk submitting a communication from Jeffrey S. Markworth requesting a waiver from the Sex Offender Residency restrictions in

order to reside at 1117 N. 10 th Street. REFER TO PUBLIC SAFETY COMMITTEE

4.10 R. O. No. 16 - 17 - 18 by City Clerk submitting a communication from Timothy Johnnies requesting a waiver from the Sex Offender Residency restrictions in order to reside at 1507 Indiana Ave. REFER TO PUBLIC SAFETY COMMITTEE

4.11 R. O. No. 15 - 17 - 18 by the Chief of Police submitting his quarterly report of Benchmark Measurements for the Police Dept., for period commencing January 1, 2017 and ending March 31, 2017. REFER TO PUBLIC SAFETY COMMITTEE

4.12 R. O. No. 12 - 17 - 18 by City Clerk submitting a memo from the Mayor to Ald. Wolf, Chairman of Public Works and David Biebel, Director of Public Works regarding the formation of Sheboygan Snow Emergency Ordinance Review Task Group. REFER TO PUBLIC WORKS COMMITTEE

5. RESOLUTIONS

5.1 Res. No. 7 - 17 - 18 by Ald. Wolf authorizing the appropriate City Officials to enter into a contract for the construction of Parking Lot No. 14 B. 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, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 12. Nay: Scott Lewandoske - 1 .

5.2 Res. No. 4 - 17 - 18 by Ald. Wolf authorizing the appropriate City Officials to enter into contract with Emergency Communications Systems for the purposes of supplying and installing new emergency warning sirens throughout the city. REFER TO PUBLIC WORKS COMMITTEE

5.3 Res. No. 5 - 17 - 18 by Ald. Wolf authorizing entering into contract for the purchase of a replacement 40 Horsepower thickening sludge pump for the 3 Meter Gravity Belt Thickener for the Wastewater Treatment Plant. REFER TO PUBLIC WORKS COMMITTEE

5.4 Res. No. 6 - 17 - 18 by Ald. Wolf authorizing entering into contract for the purchase of a Full Size Pickup Truck equipped with rear lift gate for the Sheboygan Parking Utility. REFER TO TRANSIT COMMISSION

5.5 Res. No. 13 - 17 - 18 by Ald. Donohue authorizing a loan from the Trust Funds of the State of Wisconsin in the sum of \$400,000 for TID # 16 Housing Project. REFER TO FINANCE AND PERSONNEL COMMITTEE

5.6 Res. No. 14 - 17 - 18 by Ald. Wolf authorizing entering into contract with Bray Architects for Phase Two Project Implementation for City Hall remodeling design, development, construction documents including bidding and negotiation as well as construction management. REFER TO PUBLIC WORKS COMMITTEE

5.7 Res. No. 8 - 17 - 18 by Ald. Belanger authorizing the appropriate City Officials to enter into a contract for 2017 Bituminous Resurfacing Program. REFER TO PUBLIC WORKS COMMITTEE

5.8 Res. No. 9 - 17 - 18 by Ald. Belanger authorizing the appropriate City Officials to enter into a contract for 2017 Sewer Lining. REFER TO PUBLIC WORKS COMMITTEE

5.9 Res. No. 10 - 17 - 18 by Ald. Donohue authorizing the transfer of appropriations in the 2017 budget for parking lot improvements in Tax Increment District
12. REFER TO FINANCE AND PERSONNEL COMMITTEE

6. REPORTS OF COMMITTEES

6.1 R. C. No. 3 - 17 - 18 by Law and Licensing to whom was referred R. C. No. 422 - 16 - 17 and R. O. No. 261 - 16 - 17 by City Clerk submitting various license applications; recommends that Beverage Operator's license # 1368 be denied based upon his failure to accurately reveal all relevant convictions on his license application, his record of violations related to the licensed activity, and his failure to cooperate with the Committee. ACCEPT AND ADOPT

MOTION TO ACCEPT AND ADOPT Motion by Mary Lynne Donohue, second by Rosemarie Trester.

Final Resolution:

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

6.2 R. C. No. 4 - 17 - 18 by Law and Licensing to whom was referred R. C. No. 422 - 16 - 17 and R. O. No. 261 - 16 - 17 by the City Clerk submitting various license applications; recommends that Taxi Cab Driver's License # 0545 be denied based upon his failure to accurately reveal all relevant convictions on this license application, his record of violations related to the licensed activity, and his record as a repeat law violator.. ACCEPT AND ADOPT

MOTION TO ACCEPT AND ADOPT David Koch Jr. spoke Motion by Mary Lynne Donohue, second by Rosemarie Trester.

Final Resolution:

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

6.3 R. C. No. 5 - 17 - 18 by Law and Licensing to whom was referred R. C. No.

425 - 16 - 17 and R. O. No. 287 - 16 - 17 by the City Clerk submitting various license applications; recommends that Taxi Cab Driver's License # 1430 be denied based upon his failure to accurately reveal all relevant convictions on his license application, his record of violations related to the licensed activity, and his record as a repeat law violator. ACCEPT AND ADOPT

MOTION TO ACCEPT AND ADOPT Motion by Mary Lynne Donohue, second by Rosemarie Trester.

Final Resolution:

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

6.4 R. C. No. 6 - 17 - 18 by Finance and Personnel to whom was referred Res. No. 245 - 16 - 17 by Ald. Wolf awarding the sale of \$5,000,000 General Obligation Promissory Notes, Series 2017 A; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTION Carol Wirth spoke regarding the Bond issue Motion by Mary Lynne Donohue, second by Jim Bohren.

Final Resolution:

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

6.5 R. C. No. 7 - 17 - 18 by Finance and Personnel to whom was referred R. O. No. 296 - 16 - 17 by City Plan Commission and Res. No. 246 - 16 - 17 by Ald. Belanger approving an amendment to the Project Plan of Tax Incremental District 13, City of Sheboygan, Wisconsin; 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, Mike Damrow, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Scott Lewandoske, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross

7. ORDINANCES

7.1 Gen. Ord. No. 1 - 17 - 18 by Ald. Bitters and Nelson amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification of property located at 2010 S. 19 th St. from Class Urban Industrial UI to Class Neighborhood Residential NR- 6 Classification (Parcel No. 413870). REFER TO CITY PLAN COMMISSION

7.2 Gen. Ord. No. 2 - 17 - 18 by Ald. Bitters and Nelson amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification of property located at 2010 S. 19 th St. from Class Urban Industrial UI to Class Neighborhood Residential NR- 6 Classification

(Parcel No. 413880). REFER TO CITY PLAN COMMISSION

8. OTHER MATTERS RECEIVED AFTER THE AGENDA WAS PUBLISHED

8.1 R. O. No. 17 - 17 - 18 from the City Clerk submitting various license applications. 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) of the Wis. Stats., where competitive and bargaining reasons require a closed session related to land in the Town of Wilson 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, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Scott Lewandoske, 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, Todd Wolf, Rosemarie Trester, Mary Lynne Donohue, Bryan Bitters, Jim Bohren, Scott Lewandoske, Ryan Sorenson, Ron Rindfleisch, Markus Savaglio, Henry Nelson, Andy Ross - 13 .

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