

AMENDED TWENTY-SIXTH REGULAR COUNCIL MEETING AGENDA

"Today we close the door to the past, open the door to the future, take a deep breath, and step thru to start a new chapter in our lives."

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Notice of the 26th Regular Meeting of the 2016-2017 Common Council at 6:00 p.m., MONDAY, APRIL 17, 2017, in the Council Chambers of City Hall. Persons with disabilities who need accommodations to attend the meeting should contact the City Clerk's Office, at 828 Center Avenue, Susan Richards, at (920) 459-3361, as soon as possible

**1. OPENING OF MEETING**

1.1 ROLL CALL

1.2 PLEDGE OF ALLEGIANCE

1.3 APPROVAL OF MINUTES

1.4 MAYOR'S APPOINTMENTS - Aaron Sloma to the Sheboygan Squared (Business Improvement District)

ATTACHMENT: Mayors appointments.pdf

1.5 PRESENTATION - "Review of Lakefront Water Safety Group 2016 Prevention Measures, by Chad Pelishek, Director of Planning and Development

1.6 PUBLIC FORUM

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.

2.2 R. O. No. 289-16-17 by the Bd. of Contractors Examiners submitting applications for Building Contractor Licenses already granted. ACCEPT AND FILE

ATTACHMENT: Building Contractor Licenses.pdf

2.3 R. O. No. 291-16-17 by City Plan Commission to whom was referred R. O. No. 288-16-17 by the City Clerk submitting a communication from J.E. Arthur and Associates, Inc., submitting the final plat of the Aspen Trail Estates in the Town of Sheboygan for review; recommends approving the R. O. ACCEPT AND FILE

ATTACHMENT: RO 288.pdf

2.4 R. O. No. 290-16-17 by the City Clerk granting various license applications. ACCEPT AND FILE

ATTACHMENT: UPDATED RO GRANTED.pdf

2.5 R. C. No. 398-16-17 by Finance to whom was referred R. C. No. 341-15-16, R. C. No. 349-14-15 and R. O. No. 186-14-15 by the City Clerk submitting a Summons and Complaint re: The Estate of Jaime Olivas, Lisa Olivas, Alean Olivas v Cities and Towns Mutual Insurance Co. et al.; recommends filing documents. ACCEPT AND ADOPT TO FILE

ATTACHMENT: OLIVAS.pdf

2.6 R. C. No. 399-16-17 by Finance to whom was referred R. C. No. 334-16-17 by Finance and R. O. No. 192-16-17 by the City Clerk submitting a claim from Allen Brotz for alleged damages to his mailbox when a snow plow hit it; recommends that the claim be denied and to direct the City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: Brotz claim.pdf

2.7 R. C. No. 400-16-17 by Finance to whom was referred R. C. No. 335-16-17 by Finance and R. O. No. 193-16-17 by the City Clerk submitting a claim from Matt Moeller for alleged damages to his mailbox when a snow plow hit it; recommends that the claim be denied and to direct the City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: Moeller claim.pdf

2.8 R. C. No. 401-16-17 by Finance to whom was referred R. O. No. 212-16-17 by the City Clerk submitting a claim from West Bend Claims for their insured Budget Blinds of Sheboygan, LLC; recommends that the documents be accepted and filed and to pay the claim in the amount of \$1,068.48. ACCEPT AND ADOPT

ATTACHMENT: RO 212.pdf

2.9 R. C. No. 402-16-17 by Finance to whom was referred various claims and Summons and Complaints. ACCEPT AND ADOPT TO FILE

ATTACHMENT: RO 339-15-16.pdf

ATTACHMENT: RO 154-16-17.pdf

ATTACHMENT: RC 343-15-16.pdf

ATTACHMENT: RO 10-16-17.pdf

ATTACHMENT: RC 351-15-16.pdf

ATTACHMENT: RC 347-15-16.pdf

ATTACHMENT: RC 352-15-16.pdf

ATTACHMENT: RO 11-16-17.pdf

ATTACHMENT: RC 345-15-16.pdf

ATTACHMENT: RO 102-16-17.pdf

ATTACHMENT: RO 160-16-17.pdf

ATTACHMENT: 26rc16.doc

ATTACHMENT: RC 344-15-16.pdf

ATTACHMENT: RC 350-15-16.pdf

ATTACHMENT: RC 342-15-16.pdf

ATTACHMENT: RO 185-16-17.pdf

ATTACHMENT: RO 12-16-17.pdf

2.10 R. C. No. 403-16-17 by Finance to whom was referred R. O. No. 237-16-17 by Finance submitting a claim from Thomas Leubner for alleged damages to his front right tire while driving on S. Taylor Dr. and hit a pot hole; recommends that the claim be denied and to direct the City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 237.pdf

2.11 R. C. No. 404-16-17 by Finance to whom was referred R. O. No. 238-16-17 by the City Clerk submitting a claim from Thong Lee for alleged damages when a fire truck hit the side of his parked car and broke the driver's side mirror; recommends that the documents be accepted and filed and to pay the claim in the amount of \$246.52. ACCEPT AND ADOPT

ATTACHMENT: RO 238.pdf

2.12 R. C. No. 405-16-17 by Public Works to whom was referred R. O. No. 245-16-17 by the Dir. of Public Works submitting the 2016 Dept. of Public Works Annual Report of Operations; recommends that the documents be accepted and placed on file. ACCEPT AND ADOPT

ATTACHMENT: RO 245.pdf

2.13 R. C. No. 406-16-17 by Finance to whom was referred R. O. No. 279-16-17 by the City Administrator submitting the City of Sheboygan Performance Measurement Accountability Policy; recommends the document be accept and placed on file. ACCEPT AND ADOPT

ATTACHMENT: RO 279.pdf

2.14 R. C. No. 407-16-17 by Finance to whom was referred R. O. No. 281-16-17 by the Dir. of Planning and Development submitting a request regarding the 2016 Annual Report for the Department of City Development; recommends the document be accepted and placed on file. ACCEPT AND ADOPT

ATTACHMENT: RO 281.pdf

2.15 R. C. No. 408-16-17 by Public Protection and Safety to whom was referred R. O. No. 282-16-17 by the Fire Chief submitting his quarterly report for the department commencing October 1, 2016 and ending December 31, 2016; recommends that the document be accepted and filed. ACCEPT AND ADOPT

ATTACHMENT: RO 282.pdf

2.16 R. C. No. 409-16-17 by Public Protection and Safety to whom was referred R. O. No. 283-16-17 by the Chief of Police submitting his annual report showing activities of his department for the period commencing January 1, 2016 and ending December 31, 2016; recommends that the documents be accepted and placed

on file. ACCEPT AND ADOPT

ATTACHMENT: RO 283.pdf

2.17 R. C. No. 410-16-17 by Public Protection and Safety to whom was referred R. O. No. 286-16-17 by the Fire Chief submitting his annual report for the period commencing January 1, 2016 and ending December 31, 2016; recommends that the documents be accepted and placed on file. ACCEPT AND ADOPT

ATTACHMENT: RO 286.pdf

2.18 R. C. No. 426-16-17 by Law and Licensing to whom was referred R. O. No. 261-16-17 by the City Clerk submitting various license applications; recommends granting various licenses (Brower). ACCEPT AND ADOPT

ATTACHMENT: L & L - Brower.pdf

2.19 R. C. No. 427-16-17 by Law and Licensing to whom was referred R. O. No. 287-16-17 by the City Clerk submitting various license applications; recommends that the licenses be granted (Frankies) ACCEPT AND ADOPT

ATTACHMENT: RO 287.pdf

2.20 R. C. No. 429-16-17 by Finance to whom was referred Res. No. 158-16-17 by Ald. Wolf approving the Amended and Restated Contract for Sale of Land for Private Development by and between the City of Sheboygan and Eighth-New Jersey LLC; recommends that the Resolution be placed on file. ACCEPT AND ADOPT TO FILE

ATTACHMENT: RES 158.pdf

2.21 R. C. No. 430-16-17 by Finance to whom was referred Res. No. 238-16-17 by Ald. Wolf authorizing entering into a contract for buildings and property insurance coverage; recommends the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 238.pdf

2.22 R. C. No. 431-16-17 by Public Protection and Safety to whom was referred Res. No. 239-16-17 by Ald. Thiel authorizing entering into contract for purchase of (2) Automated External Defibrillators (AED's) for the Sheboygan Police Dept.; recommends pass the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 239.pdf

2.23 R. C. No. 432-16-17 by Public Works to whom was referred Res. No. 240-16-17 by Ald. Belanger authorizing filing the DNR Knowles-Nelson Stewardship Program Grant application for the purpose of receiving financial assistance for the purpose of developing land for public outdoor recreation purposes as described in the application; recommends the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 240.pdf

2.24 R. C. No. 433-16-17 by Public Works to whom was referred Res. No. 241-16-17 by Ald. Belanger and Lewandoske submitting the Lakefront Water Safety Task Group Report of activities from August 31, 2016 to March 22, 2017; recommends the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 241.pdf

2.25 R. C. No. 434-16-17 by Public Works to whom was referred Res. No. 242-16-17 by Ald. Belanger authorizing entering into contract(s) for the purchase of a replacement sewer televising and inspection truck for the Dept. of Public Works; recommends the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 242.pdf

2.26 R. C. No. 435-16-17 by Finance to whom was referred Res. No. 243-16-17 by Ald. Wolf authorizing the submittal of a grant application to the U. S. Dept. of Agriculture Forest Service, 2017 Great Lakes Restoration Initiative; Enhance Coastal Wetland program; recommends the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: res 243.pdf

### **3. REPORTS OF OFFICERS**

3.1 R. O. No. 292-16-17 by the Director of Planning & Development submitting a request, accepting \$120,000 in sponsorship from Festival Foods towards the 2017, 2018, and 2019 City's Independence Day Celebration for the purpose of coordinating and funding the fireworks display. ACCEPT AND FILE

ATTACHMENT: RO - Festival Foods.pdf

3.2 R. O. No. 293-16-17 by the Director of Planning & Development submitting a request, accepting \$10,000 in parade sponsorship contribution from Wisconsin Bank and Trust towards the 2017 City of Sheboygan Independence Day Celebration. ACCEPT AND FILE

ATTACHMENT: RO - Wisconsin Bank & Trust.pdf

3.3 R. O. No. 294-16-17 by the Dir. of Planning & Development submitting a request, accepting \$39,000 in sponsorship contribution towards the 2017 City's Independence Day Celebration from Johnsonville Sausage, LLC. ACCEPT AND FILE

ATTACHMENT: RO - Johnsonville.pdf

3.4 R. O. No. 295-16-17 by the City Clerk submitting various license applications (Brennan's). LAW AND LICENSING OF THE NEW COUNCIL

ATTACHMENT: UPDATED REFERRED RO.pdf

3.5 R. O. No. 296-16-17 by City Plan Commission to whom reviewed and discussed the attached Res. No. 246-16-17 by Ald. Wolf approving an amendment to the Project Plan of Tax Incremental District 13, City of Sheboygan, Wisconsin, recommends that the resolution be referred to Finance of the new Council. FINANCE OF THE NEW COUNCIL

ATTACHMENT: Tax incremental district 13.pdf

3.6 R. O. No. 297-16-17 by the City Clerk submitting a communication from Bradley Curler requesting a waiver from the Sex Offender Residency restrictions in order to reside at 1101 Swift Ave. PUBLIC PROTECTION AND SAFETY OF THE NEW COUNCIL

ATTACHMENT: Curler.pdf

### **4. RESOLUTIONS**

4.1 Res. No. 244-16-17 by Ald. Hou-Seye creating an escrow of \$500,000 for the purpose of granting a property developer who purchased the Historic Sheboygan Armory, the funds, up to \$500,000, that are necessary to raze the building.

ATTACHMENT: 500000 armory.pdf

4.2 Res. No. 245-16-17 by Ald. Wolf Awarding The Sale of \$5,000,000 General Obligation Promissory Notes, Series 2017A; recommends referring document to Finance of the new Council. FINANCE OF THE NEW COUNCIL

ATTACHMENT: RES - Sale of Note.pdf

## **5. REPORTS OF COMMITTEES**

5.1 R. C. No. 428-16-17 by Law and Licensing to whom was referred R. O. No. 261-16-17 by the City Clerk submitting various licenses; recommend forwarding Beverage Operator's License #1398 (Squire Krajniak) to Council with no recommendation.

ATTACHMENT: L & L Krajniak.pdf

5.2 R. C. No. 411-16-17 by Finance to whom was referred R. O. No. 13-16-17 by the City Clerk submitting a Notice of Injury & Circumstances of Claim to the City of Sheboygan, Sheboygan Area School District and Randie Barrows; recommends referring documents to Finance of the new Council. FINANCE OF THE NEW COUNCIL

ATTACHMENT: RO 13.pdf

5.3 R. C. No. 412-16-17 by Finance to whom was referred R. O. No. 93-16-17 by the City Clerk submitting a Summons and Complaint re: Douglas L. Leppanen and Network Health v City of Sheboygan et al; recommends referring documents to Finance of the new Council. FINANCE OF THE NEW COUNCIL

ATTACHMENT: RO 93.pdf

5.4 R. C. No. 413-16-17 by Finance to whom was referred R. O. No. 161-16-17 by the City Clerk submitting a Notice of Injury and Notice of Claim for Damages of Kurt Klessig; recommends referring documents to Finance of the new Council. FINANCE OF THE NEW COUNCIL

ATTACHMENT: RO 161.pdf

5.5 R. C. No. 414-16-17 by Finance to whom was referred R. O. No. 162-16-17 by the City Clerk submitting a Notice of Injury and Notice of Claim for Damages of Mary Heitzmann; recommends referring to Finance of the new Council. FINANCE OF THE NEW COUNCIL

ATTACHMENT: RO 162.pdf

5.6 R. C. No. 415-16-17 by Finance to whom was referred R. O. No. 198-16-17 by the City Clerk submitting a claim from Samuel Q. Rodriguez for alleged damages to his truck while parked when a snow plow hit the side and back of truck; recommends referring documents to Finance of the new Council. FINANCE OF THE NEW COUNCIL

ATTACHMENT: RO 198.pdf

5.7 R. C. No. 416-16-17 by Finance to whom was referred R. O. No. 199-16-17 by the City Clerk submitting a Complaint and (4) Summons in the matter of Kurt

R. Klessig and Mary A. Heitzmann v Anthony Hamilton, Brandon Kehoe, City of Sheboygan, City of Sheboygan Police Dept. and Wilson Mutual Insurance Co.; recommends referring documents to Finance of the new Council. FINANCE OF THE NEW COUNCIL

ATTACHMENT: RO 199.pdf

5.8 R. C. No. 417-16-17 by Finance to whom was referred R. O. No. 207-16-17 by the City Clerk submitting a Summons and Complaint re: Wells Fargo Bank, N.A. v Janice M. Scheibl et al; recommends referring documents to Finance of the new Council. FINANCE OF THE NEW COUNCIL

ATTACHMENT: RO 207.pdf

5.9 R. C. No. 418-16-17 by Finance to whom was referred R. O. No. 209-16-17 by the City Clerk submitting a communication from State Farm Claims on behalf of their insured Angela Allensworth regarding an alleged loss that happened at Taylor Dr. and Washington Ave.; recommends referring documents to Finance of the new Council. FINANCE OF THE NEW COUNCIL

ATTACHMENT: RO 209.pdf

5.10 R. C. No. 419-16-17 by Finance to whom was referred R. C. No. 348-15-17 and R. O. No. 207-15-16 by the City Clerk submitting a Notice of Injury or Circumstances for Braeden J. Scheele, minor son of Brian J. Scheele and Faith C. Danbrova; recommends referring documents to Finance of the new Council. FINANCE OF THE NEW COUNCIL

ATTACHMENT: RC 348.pdf

5.11 R. C. No. 420-16-17 by Finance to whom was referred R. O. No. 239-16-17 by City Clerk submitting a claim from James Noel for alleged damages to four mailboxes when a snow plow hit them; recommends referring documents to Finance of the new Council. FINANCE OF THE NEW COUNCIL

ATTACHMENT: RO 239.pdf

5.12 R. C. No. 421-16-17 by Finance to whom was referred R. O. No. 252-16-17 by the City Clerk submitting a Summons and Complaint re: U.S. Bank National Association v. David J. Rosenthal et al.; recommends referring documents to Finance of the new Council. FINANCE OF THE NEW COUNCIL

ATTACHMENT: RO 252.pdf

5.13 R. C. No. 422-16-17 by Law and Licensing to whom was referred R. O. No. 261-16-17 by the City Clerk submitting various license applications; recommends referring documents to Law and Licensing of the new Council. LAW AND LICENSING OF THE NEW COUNCIL

ATTACHMENT: L & L - Galstad.pdf

5.14 R. C. No. 423-16-17 by Finance to whom was referred R. O. No. 280-16-17 by the City Clerk submitting a claim from Thana Frank for damages incurred to her ditch at 1730 N. 38th St. when a Shoreline Metro bus slid off the road; recommends referring the documents to Finance of the new Council. FINANCE OF THE NEW COUNCIL

ATTACHMENT: RO 280.pdf

5.15 R. C. No. 424-16-17 by Finance to whom was referred R. O. No. 44-16-17 by the City Clerk submitting a Summons and Complaint re: Sonlight, Inc., and Samuel A. Walker v the City of Sheboygan and C. Spielvogel & Sons Excavating, Inc.; recommends referring documents to Finance of the new Council. FINANCE OF THE NEW COUNCIL

ATTACHMENT: RO 44.pdf

5.16 R. C. No. 425-16-17 by Law and Licensing to whom was referred, pursuant to R. O. No. 287-16-17 by the City Clerk submitting various license applications; recommends referring documents to Law and Licensing of the new Council. LAW AND LICENSING OF THE NEW COUNCIL

5.17 R. C. No. 436-16-17 by Finance to whom was referred R. C. No. 341-16-17 by Finance and R. O. No. 222-16-17 by the City Clerk submitting a claim from Brittany A. Bremer for alleged damages to her parked vehicle when a snow plow hit a man hole cover and it went flying into her car; recommends that the claim be denied and to direct the City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RC 341-16-17.pdf

5.18 R. C. No. 437-16-17 by Building Use Committee to whom was referred R. O. No. 172-16-17 by the City Administrator and the Director of Planning and Development submitting a summary of options regarding renovating the current City Hall or construction a new City Hall; recommends Options 1 and 2, and discarding Options 3, 4, 5 but consider Options 6, 7, 8 if City Hall remodeling isn't viable (see attached spreadsheet).

ATTACHMENT: RO 172.pdf

## **6. OTHER MATTERS**

### **7. ADJOURN MEETING**

7.1 Motion to Adjourn sine die

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