

SIXTEENTH COUNCIL MEETING AGENDA

"PEOPLE WORKING TOGETHER IN A STRONG COMMUNITY WITH A SHARED GOAL AND A COMMON PURPOSE CAN MAKE THE IMPOSSIBLE POSSIBLE" ~ Tom Vilsack

Notice of the 16th Regular Meeting of the 2016-2017 Common Council at 6:00 p.m., MONDAY, November 21, 2016, 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 Ave., Susan Richards, at 459-3361, as soon as possible

1. OPENING OF MEETING

1.1 ROLL CALL

1.2 PLEDGE OF ALLEGIANCE - Eagle Scout Jacob Hittman will lead the Pledge of Allegiance

1.3 APPROVAL OF MINUTES

1.4 RESIGNATIONS

1.5 MAYOR'S APPOINTMENTS - Sheboygan Squared BID Board

ATTACHMENT: BID BOARD APPT.pdf

1.6 CONFIRMATION OF MAYOR'S APPOINTMENTS - Alec Bartolai to Sustainable Sheboygan Task Force, Michael Vandersteen and Chad Pelishek to Sheboygan Area Tourism Commission and Paul Rudnick to Sheboygan Squared BID Board

ATTACHMENT: BARTOLAI APPT.pdf

ATTACHMENT: BID BOARD APPT.pdf

ATTACHMENT: RUDNICK APPT.pdf

1.7 PRESENTATION - "SHEBOYGAN SOUP" by Amanda Salazar

1.8 PUBLIC FORUM

1.9 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 An R. O. by the City Clerk granting various licenses. ACCEPT AND FILE

ATTACHMENT: GRANTED.pdf

2.3 An R. O. by the City Clerk submitting an application for a private well permit for 4168 S. 15th St. ACCEPT AND FILE

ATTACHMENT: WELL PERMIT.pdf

2.4 An R. O. by the City Clerk submitting a communication from Sheboygan County being their apportionments for 2016 to levy and apportion the tax. ACCEPT AND FILE

ATTACHMENT: COUNTY APPORTIONMENT.pdf

2.5 An R. O. by the Bd. of Marina, Parks and Forestry Commissioners to whom was referred a copy of R. O. No. 100-16-17 by the City Clerk submitting a communication from the President of the Mid-Lakes Softball Organization requesting an agreement between the City and the Wigg Brothers' Construction Co. as they have expressed an interest in donating the entire cost of a new scoreboard for Wildwood Softball Complex; recommends approving the request. ACCEPT AND FILE

ATTACHMENT: COPY RO 100.pdf

2.6 An R. O. by the Bd. of Marina, Parks and Forestry Commissioners to whom was referred Res. No. 70-16-17 by Ald. Belanger authorizing the Superintendent of Parks and Forestry to apply for a cost-share grant from the Bay-Lake Regional Planning Commission for the purpose of purchasing street trees as part of the City's program to mitigate the effects of the Emerald Ash Borer; recommends approving the Resolution. ACCEPT AND FILE AND PASS RESOLUTION

ATTACHMENT: RES 70.pdf

2.7 An R. O. by the Bd. of Marina, Parks and Forestry Commissioners to whom was referred R. C. No. 186-16-17 by Public Works, R. C. No. 172-16-17 by Public Works and Gen. Ord. No. 15-16-17 by Ald. Belanger amending the Municipal Code entitled "Fire Control" so as to eliminate recreational fires on beaches; recommends that the document be placed on file. FILE DOCUMENTS

ATTACHMENT: RC 186.pdf

2.8 A Resolution by Ald. Wolf authorizing the appropriate City Officials to execute a Department of Natural Resources Principal Forgiven Financial Assistance Agreement. PASS RESOLUTION

ATTACHMENT: DNR.pdf

2.9 An R. C. by Finance to whom was referred R. O. No. 114-16-17 by the City Clerk submitting a claim from Kathleen Doyle for alleged damages to her bathroom when sewer water was forced up through the toilet and sprayed the bathroom; recommends that the claim be denied and to direct the City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 114.pdf

ATTACHMENT: Update to Claim 12-16.pdf

2.10 An R. C. by Public Protection and Safety to whom was referred R. O. No. 123-16-17 by the City Clerk submitting a communication from Dennis Radtke regarding safety concerns at the intersection of N. 12th St. and North Ave.; recommends that the documents be placed on file. ACCEPT AND ADOPT

ATTACHMENT: RO 123.pdf

2.11 An R. C. by Finance to whom was referred R. O. No. 128-16-17 by the City Clerk submitting a claim from Tomas and Olivia Aguillon for alleged damages to their basement when water came in through the sewer; recommends that the claim be denied and to direct the City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 128.pdf

2.12 An R. C. by Law and Licensing to whom was referred, pursuant to R. O. No. 140-16-17 by the City Clerk, submitting various license applications; recommends granting the license with instructions to correct the application (Moan). ACCEPT AND ADOPT

ATTACHMENT: PURS RO 140.pdf

2.13 An R. C. by Law and Licensing to whom was referred, pursuant to R. O. No. 156-16-17 by the City Clerk, submitting various license applications; recommends granting licenses with various caveats (Change of Agent). ACCEPT AND ADOPT

ATTACHMENT: PURS RO 156 CHANGE OF AGENT.pdf

2.14 An R. C. by Public Protection and Safety to whom was referred R. O. No. 157-16-17 by the Fire Chief submitting his quarterly report for the period commencing 7/1/16 and ending 9/30/16; recommends that the documents be accepted and filed. ACCEPT AND FILE

ATTACHMENT: RO 157.pdf

2.15 An R. C. by Public Protection and Safety to whom was referred R. O. No. 159-16-17 by the City Clerk submitting a communication from Ald. Draughon on behalf of Mary Beth Martin along with a petition regarding the YMCA crosswalk on Broughton Dr., as a number of people have voiced their concerns regarding the traffic not yielding to pedestrians; recommends that the documents be placed on file. ACCEPT AND ADOPT

ATTACHMENT: RO 159.pdf

2.16 An R. C. by Finance to whom was referred Res. No. 122-16-17 by Ald. Donohue authorizing the creation of a Sheboygan Area Room Tax Commission and Tourism Zone among the City of Sheboygan, Town of Sheboygan and Town of Wilson; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 122.pdf

2.17 An R. C. by Public Works to whom was referred Res. No. 123-16-17 by Ald. Belanger authorizing appropriate City Officials to enter into an agreement between the City of Sheboygan and Vinton Construction for construction of the Arts & Culture Plaza; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 123.pdf

2.18 An R. C. by Public Protection and Safety to whom was referred Gen. Ord. No. 25-16-17 by Ald. Thiel placing a stop sign at the southwest and northeast corners of Columbus Ave. and N. 7th St.; recommends that the Ordinance be passed. ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: GO 25.pdf

2.19 An R. C. by Public Protection and Safety to whom was referred Gen. Ord. No. 26-16-17 by Ald. Thiel placing a stop sign at the southwest and northeast corners of Pershing Ave. and N. 7th St.; recommends that the Ordinance be passed. ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: GO 26.pdf

2.20 An R. C. by Public Protection and Safety to whom was referred Gen. Ord. No. 27-16-17 by Ald. Thiel placing a stop sign at the southwest and northeast corners of Grand Ave. and N. 7th St.; recommends that the Ordinance be passed. ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: GO 27.pdf

2.21 An R. C. by Finance to whom was referred Gen. Ord. No. 28-16-17 by Ald. Donohue repealing and recreating Article II of Chapter 114 of the Municipal Code relating to Rooms or Lodgings; recommends that the Ordinance be passed. ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: GO 28.pdf

2.22 An R. C. by Public Works to whom was referred Gen. Ord. No. 30-16-17 DIRECT REFERRAL by Ald. Belanger amending Sections 122-403, 122-404 and 122-405 of the Municipal Code relating to sewers and sewerage disposal; recommends that the Ordinance be passed. ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: GO 30.pdf

3. REPORTS OF OFFICERS

3.1 An R. O. by the City Clerk submitting a Summons and Complaint in the matter of Wells Fargo Bank, N.A. v Jeffrey S. Nytsch et al. FINANCE

ATTACHMENT: WELLS FARGO.pdf

3.2 An R. O. by the City Clerk submitting a Notice of Injury and Notice of Claim for Damages of Kurt Klessig. FINANCE

ATTACHMENT: KLESSIG.pdf

3.3 An R. O. by the City Clerk submitting a Notice of Injury and Notice of Claim for Damages of Mary Heitzmann. FINANCE

ATTACHMENT: HEITZMANN.pdf

3.4 An R. O. by the City Clerk submitting a communication from Brian Luke Kuhfuss requesting a waiver from the Sex Offender Residency restrictions in order to live at 2114 N. 20th St. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: KUHFUSS.pdf

4. RESOLUTIONS

4.1 A Resolution by Ald. Belanger authorizing the emergency repair and reconstruction of the sanitary sewer main on S. 27th St. between Fairway Dr. and Jefferson Ave. SUSPEND AND PASS RESOLUTION

ATTACHMENT: EMERGENCY REPAIR.pdf

4.2 A Resolution by Ald. Wolf authorizing the Finance Director to enter into

contract with Wisconsin Bank and Trust for bank services. FINANCE

ATTACHMENT: BANK SERVICES.pdf

4.3 A Resolution by Ald. Wolf authorizing the appropriate City Official to enter into an Intergovernmental Cooperative Agreement with Sheboygan County for Sales Tax Revenue-Sharing for Transportation Infrastructure Maintenance. FINANCE

ATTACHMENT: COOPERATIVE AGREEMENT.pdf

4.4 A Resolution by Ald. Thiel 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. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: STUDY FIRE DEPT.pdf

4.5 A Resolution by Ald. Belanger authorizing the Superintendent of Parks and Forestry to oversee the Recreational Fires on the Beaches Program. PUBLIC WORKS

ATTACHMENT: BEACHES PROGRAM.pdf

4.6 A Resolution by Ald. Donohue authorizing the City to enter into contract with Sun Life Stop Loss Insurance Coverage effective January 1, 2017. Coverage in 2017 will be \$150,00 per unit. SALARIES AND GRIEVANCES

ATTACHMENT: SUN LIFE 150,000.pdf

4.7 A Resolution by Ald. Donohue authorizing the appropriate City Officials to enter into an agreement with Diversified Benefit Services, Inc., to administer the Flexible Benefit Plan for the period January 1, 2017 through December 31, 2017. SALARIES AND GRIEVANCES

ATTACHMENT: FLEX BEN.pdf

4.8 A Resolution by Ald. Donohue authorizing the appropriate City Officials to enter into contract with United Health Care (UMR) to provide administration services for the City's medical health benefit plan for calendar year 2017. SALARIES AND GRIEVANCES

ATTACHMENT: UMR.pdf

4.9 A Resolution by Ald. Donohue authorizing the appropriate City Officials to enter into contract with Delta Dental to administer dental benefit plan services for the City for calendar year 2017. SALARIES AND GRIEVANCES

ATTACHMENT: DELTA DENTAL.pdf

4.10 A Resolution by Ald. Donohue authorizing the City to enter into contract for obtaining Medical Stop-Loss Insurance, with Sun Life. SALARIES AND GRIEVANCES

ATTACHMENT: STOP LOSS SUN LIFE.pdf

5. REPORTS OF COMMITTEES

5.1 An R. C. by Finance to whom was referred R. O. No. 153-16-17 by the Bd. of Water Commissioners seeking a small parcel (2.5 acres) of vacant land in order to construct an elevated water storage tank in 2018; recommends approving the request and the attached counter-offer. ACCEPT AND ADOPT

ATTACHMENT: RO 153.pdf

5.2 An R. C. by Law and Licensing to whom was referred R. O. No. 116-16-17 by the City Clerk submitting various licenses; recommends denying Taxicab Driver's License #1486 based upon her failure to accurately reveal all relevant convictions on her application, her record of violations related to the licensed activity, her record as a repeat law violator and her failure to cooperate with the Committee. ACCEPT AND ADOPT

ATTACHMENT: RO 116.pdf

5.3 An R. C. by Law and Licensing to whom was referred R. O. No. 140-16-17 by the City Clerk submitting various license applications; recommends denying Fermented Malt Beverage and Class "C" Wine License application #3225 for Saap Lai based upon the Agent's record of violations related to the licensed activity and also probation rules which prohibit her from buying, selling, possessing, consuming or being in the presence of alcohol beverages; and also based on the other member of the LLC's failure to accurately reveal all relevant convictions on the license application, his record of violations related to the licensed activity, and his record as a repeat law violator. ACCEPT AND ADOPT

ATTACHMENT: PURS TO RO 140.pdf

5.4 An R. C. by Finance to whom was referred Res. No. 121-16-17 by Alderperson Wolf authorizing Amendments to the Terms of the Development Revenue Bond, Series 2010 (RCS Empowers, Inc. Project) and the Execution of related documents; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 121.pdf

5.5 An R. C. by Law and Licensing to whom was referred R. C. No. 235-16-17 by Law and Licensing and Gen. Ord. No. 24-16-17 by Ald. Belanger repealing and recreating Article IV of Chapter 30 of the Municipal Code relating to Sales of Drug Paraphernalia, and repealing and recreating Section 70-8 of the Municipal Code, entitled "Adoption of State Law Regarding Controlled Substances"; recommends that the Ordinance be passed.

ATTACHMENT: RC 235.pdf

6. ORDINANCES

6.1 An Ordinance by Ald. Donohue amending Section 82-33 of the Sheboygan Municipal Code so as to add/amend positions to the Table of Organization for the City of Sheboygan. SALARIES AND GRIEVANCES

ATTACHMENT: GO TABLE OF ORGANIZATION.pdf

7. MATTERS LAID OVER

7.1 An R. O. by the City Clerk submitting a communication from the Sheboygan Area School District submitting the approved Tax Levy for the 2016-2017 school year. ACCEPT AND FILE

ATTACHMENT: SASD.pdf

8. OTHER MATTERS RECEIVED AFTER THE AGENDA WAS PUBLISHED

8.1 An R. O. by the City Clerk submitting various license applications. LAW AND LICENSING

ATTACHMENT: referred RO.pdf

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 a development opportunity in the 600 block of N. 8th St.

10. ADJOURN MEETING

10.1 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