

FIFTEENTH COUNCIL MEETING AGENDA

"I'VE LEARNED THAT PEOPLE MAY FORGET WHAT YOU SAID, PEOPLE MAY FORGET WHAT YOU DID, BUT PEOPLE WILL NEVER FORGET HOW YOU MADE THEM FEEL"

Notice of the 15th Regular Meeting of the 2016-2017 Common Council at 6:00 p.m., MONDAY, November 7, 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 PLEDGE OF ALLEGIANCE

1.2 APPROVAL OF MINUTES

1.3 RESIGNATIONS - Jake Toman from Sheboygan Squared BID Board and Peter Strysick from Board of Appeals, Architectural Review and Board of Contractors Examiners

ATTACHMENT: STRYSICK RESIGNATION.pdf

ATTACHMENT: TOMAN RESIGNATION.pdf

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

ATTACHMENT: RUDNICK APPOINTMENT.pdf

ATTACHMENT: APPOINTMENT Alec Bartolai to Sustainable Task Force.pdf

ATTACHMENT: TOURISM COMMISSION.pdf

1.5 CONFIRMATION OF MAYOR'S APPOINTMENTS

1.6 PRESENTATION - COMMUNITY SURVEY by City Administrator Darrell Hofland

ATTACHMENT: 2016 COMMUNITY QUESTIONNAIRE.pdf

1.7 PUBLIC FORUM

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

2. HEARING

2.1 A Hearing on the vacation and discontinuance of a portion of a paved alley between Sibley Ct. on the north, Saemann Ave. on the south, Calumet Dr. on the east and Wiemann Ave. on the west.

ATTACHMENT: HEARING.pdf

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.

3.2 An R. O. by the City Clerk granting various license applications. ACCEPT AND FILE

ATTACHMENT: UPDATED RO GRANTED.pdf

3.3 An R. O. by the Bd. of Contractors Examiners submitting applications for Building Contractor Licenses already granted. ACCEPT AND FILE

ATTACHMENT: BUILDING CONTRACTOR.pdf

3.4 An R. O. by the Bd. 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 2017. ACCEPT AND FILE

ATTACHMENT: RO 146-16-17.pdf

3.5 An R. O. by the Bd. of Water Commissioners submitting, as a matter of record, this Record of Declaration of Official Intent declaring the official intent of the City of Sheboygan, Wisconsin to reimburse expenditures with proceeds of a borrowing for the construction of an elevated water storage tank for the Water Utility. ACCEPT AND FILE

ATTACHMENT: BD OF WATER DECLARATION OF OFFICIAL INTENT.pdf

3.6 An R. O. by the Bd. of Water Commissioners submitting their report on the Water Utility for the third quarter of 2016. ACCEPT AND FILE

ATTACHMENT: BD OF WATER 3RD QUARTER.pdf

3.7 An R. O. by the City Clerk submitting a communication from the Kohler School District submitting their Tax Levy Certification for the 2016-2017 School Year. ACCEPT AND FILE

ATTACHMENT: KOHLER SCHOOL DISTRICT TAX LEVY.pdf

3.8 An R. O. by the City Clerk submitting a communication from Lakeshore Technical College District along with their Tax Levy Report. ACCEPT AND FILE

ATTACHMENT: LTC TAX LEVY.pdf

3.9 An R. C. by Finance to whom was referred R. C. No. 346-15-16 by Finance, R. O. No. 78-15-16 by the City Clerk and R. O. No. 115-16-17 by the City Clerk submitting a claim from Janet Nelson for alleged injuries when she tripped and fell on the sidewalk on N. 11th St. next to the restaurant and store; recommends that the claim be denied and to direct the City Attorney to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RC 212-16-17.pdf

3.10 An R. C. by Finance to whom was referred R. O. No. 29-16-17 by the City Clerk submitting a Notice of Claim from State Farm Insurance for Koua Moua for an alleged snowplow damage to a vehicle on N. 7th St.; recommends that the claim be paid in the amount of \$5,000. ACCEPT AND ADOPT

ATTACHMENT: RO 29.pdf

3.11 An R. C. by Finance to whom was referred R. O. No. 143-16-17 by the Director of Planning and Development submitting the 2017 BID Statement of Purpose dated October 18, 2016 from the Harbor Centre Business Improvement District; recommends that the document be accepted and placed on file. ACCEPT AND ADOPT

ATTACHMENT: RO 143.pdf

3.12 An R. C. by Finance to whom was referred R. O. No. 82-16-17 by the City Clerk submitting a communication from American Family Insurance on behalf of their insured David S. and Debra D. Aschenbach regarding a Notice of Claim; recommends that the claim be denied and to direct the City Attorney to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 82.pdf

3.13 An R. C. by Finance to whom was referred R. O. No. 83-16-17 by the City Clerk submitting a claim from Acuity on behalf of Marilynn Heimer for alleged damages to her vehicle when a street sweeper truck drove past and kicked up rocks causing damage to the left front fender; recommends that the claim be denied and to direct the City Attorney to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 83.pdf

3.14 An R. C. by Law and Licensing to whom was referred R. O. No. 130-16-17 by the City Clerk submitting various license applications; recommends granting licenses with various caveats (Ebbers). ACCEPT AND ADOPT

ATTACHMENT: RO 130.pdf

3.15 An R. C. by Law and Licensing to whom was referred R. O. No. 139-16-17 by the City Clerk submitting a communication from Basudev Adhikari, Sheboygan Liquor Depot, requesting an extension for the license due to certain delays with construction issues; recommends granting a 90-day extension. ACCEPT AND ADOPT

ATTACHMENT: RO 139.pdf

3.16 An R. C. by Law and Licensing to whom was referred, pursuant to R. O. No. 140-16-17 by the City Clerk, various license applications; recommends granting the licenses with various caveats (Anderson). ACCEPT AND ADOPT

ATTACHMENT: RO 140 ANDERSON.pdf

3.17 An R. C. by Public Works to whom was referred Res. No. 120-16-17 by Ald. Belanger authorizing entering into contract for the complete replacement of Ash trees affected by the Emerald Ash Borer along and in the vicinity of South Pier Drive; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

3.18 An R. C. by Finance to whom was referred R. C. No. 338-15-16 by Finance, R. C. No. 346-14-15 by Finance and R. O. No. 136-14-15 by the City Clerk submitting a claim from Barbara Behlke for alleged brain trauma/injury from electrical currents that are too strong on Bell Ave. and N. 10th St.; recommends placing the documents on file. ACCEPT AND ADOPT

ATTACHMENT: RC 338.pdf

3.19 An R. C. by Finance to whom was referred R. C. No. 339-15-16 by Finance

and R. O. No. 151-14-15 by the City Clerk submitting a claim from Elvera Monson for alleged injuries at the Sheboygan Quarry's building entrance when she tripped and fell; recommends placing the documents on file. ACCEPT AND ADOPT

ATTACHMENT: RC 339.pdf

3.20 An R. C. by Finance to whom was referred R. C. No. 340-15-16 by Finance, R. C. No. 348-14-15 and R. O. No. 167-14-15 by the City Clerk submitting a claim from Robert Lettre for alleged damages to his ceiling which cracked and fell during the 8th St. construction; recommends placing the documents on file. ACCEPT AND ADOPT

ATTACHMENT: RC 340.pdf

3.21 An R. C. by Law and Licensing who voted to recommend that the Common Council grant Alc. Bev. Lic. No. 3187 - Sheboygan Liquor Depot (Basudev Adhikari, Agent) an extension until January 31, 2017 to open for business. ACCEPT AND ADOPT

ATTACHMENT: RC MR ADHIKARI.pdf

3.22 An R. C. by Public Protection and Safety to whom was referred R. O. No. 141-16-17 by the Chief of Police submitting his quarterly report showing the activities of the department for the period commencing July 1, 2016 and ending September 30, 2016; recommends that the document be accepted and placed on file. ACCEPT AND ADOPT

ATTACHMENT: RO 141.pdf

3.23 An R. C. by Public Protection and Safety to whom was referred R. O. No. 133-16-17 by the City Clerk submitting a communication/petition from Kelly Schillingowski et al. requesting that one-hour parking signs be removed near Lincoln Ave. between 10th and 11th Streets; recommends removing the signs. ACCEPT AND ADOPT

ATTACHMENT: RO 133.pdf

3.24 An R. C. by Finance to whom was referred R. C. No. 174-16-17 by Law and Licensing and R. O. No. 103-16-17 by the City Administrator submitting the attached summary of the 2017 Executive Budget for the General Fund, Special Revenue Funds, Debt Service Funds, Capital Projects Funds, Internal Service Funds, Enterprise Funds and Fiduciary Funds; recommends accepting and filing all documents. ACCEPT AND ADOPT

ATTACHMENT: RC 174.pdf

3.25 An R. C. by Finance to whom was referred R. C. No. 175-16-17 by Public Protection and Safety and R. O. No. 103-16-17 by the City Administrator submitting the attached summary of the 2017 Executive Budget for the General Fund, Special Revenue Funds, Debt Service Funds, Capital Projects Funds, Internal Service Funds, Enterprise Funds and Fiduciary Funds; recommends changes in the Building Inspection Department. ACCEPT AND ADOPT

ATTACHMENT: RC 175.pdf

3.26 An R. C. by Finance to whom was referred R. O. No. 103-16-17 by the City Administrator submitting the attached summary of the 2017 Executive Budget for the General Fund, Special Revenue Fund, Debt Service Funds, Capital Projects

Fund, Internal Service Funds, Enterprise Funds and Fiduciary Funds; recommends changes in various funds for Public Works. ACCEPT AND ADOPT

ATTACHMENT: COPY RO 103 STORM WATER.pdf

3.27 An R. C. by Finance to whom was referred R. C. No. 177-16-17 by Finance and R. O. No. 103-16-17 by the City Administrator submitting the attached summary of the 2017 Executive Budget for the general fund, Special Revenue Funds, Debt Service Funds, Capital Projects Funds, Internal Service Funds, Enterprise Funds and Fiduciary Funds; recommends approval of the Human Resources Department's 2017 Executive Budget. ACCEPT AND ADOPT

ATTACHMENT: RC 177.pdf

3.28 An R. C. by Finance to whom was referred R. C. No. 176-16-17 by Finance and R. O. No. 103-16-17 by the City Administrator submitting the attached summary of the 2017 Executive Budget for the General Fund, Special Revenue Funds, Debt Service Funds, Capital Projects Fund, Internal Service Funds, Enterprise Funds and Fiduciary Funds; recommends changes in the Municipal Court funds and Block Grant funds. ACCEPT AND ADOPT

ATTACHMENT: RC 176.pdf

3.29 An R. C. by Finance to whom was referred R. O. No. 127-16-17 by the City Administrator as part of the budget process, the attached listing of the estimated Unreserved Fund Balances at December 31, 2017 and outstanding debt as of December 31, 2016 is submitted for your information; recommends that the documents be accepted and adopted. ACCEPT AND ADOPT

ATTACHMENT: RO 127.pdf

3.30 An R. O. by the Historic Preservation-Housing Rehab Commission to whom was referred R. O. No. 129-16-17 by the City Clerk submitting a communication from the Wis. Historical Society notifying the City that an adequately documented nomination for Washington Elementary School has been received. ACCEPT AND FILE

ATTACHMENT: RO 129.pdf

3.31 An R. C. by Public Works to whom is referred Res. No. 120-16-17 by Ald. Belanger authorizing entering into contract for the complete replacement of Ash trees affected by the Emerald Ash Borer along and in the vicinity of South Pier Drive; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 120.pdf

4. REPORTS OF OFFICERS

4.1 An R. O. 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 and overall safety. PUBLIC WORKS

ATTACHMENT: DRAUGHON.pdf

4.2 An R. O. 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. FINANCE

ATTACHMENT: BD WATER PARCEL LAND.pdf

4.3 An R. O. by the City Clerk submitting a Summons and Petition for Writ of Mandamus in the matter of Robert L. Elliott v City of Sheboygan et al. FINANCE

ATTACHMENT: SUMMONS AND PETITION.pdf

5. RESOLUTIONS

5.1 A Resolution by Ald. Wolf authorizing Amendments to the Terms of the Development Revenue Bond, Series 2010 (RCS Empowers, Inc. Project) and the Execution of related documents. FINANCE

ATTACHMENT: AMENDMENT TO RCS.pdf

5.2 A Resolution by Ald. Belanger authorizing entering into an agreement between the City of Sheboygan and Vinton Construction for construction of the Arts & Culture Plaza. PUBLIC WORKS

ATTACHMENT: RES ARTS AND CULTURE PLAZA.pdf

6. REPORTS OF COMMITTEES

6.1 An R. C. by Law and Licensing to whom was referred 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. ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: GO 24.pdf

6.2 An R. C. by Finance to whom was referred Res. No. 119-16-17 by Ald. Wolf establishing a Debt Management Policy to maintain the City's outstanding General Obligation Debt at 60 percent of the City's debt limit; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 119.pdf

6.3 An R. C. by Finance to whom was referred Res. No. 118-16-17 by Ald. Wolf amending the Capital Improvement Program, for the program period of 2017-2021 and adopting the program for implementation; recommends that the Resolution be passed along with the Amendment to the Capital Improvements Program. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 118.pdf

6.4 An R. C. by Finance to whom was referred Res. No. 117-16-17 by Ald. Wolf establishing the 2017 Budget appropriations and the 2016 Tax Levy for use during the calendar year; recommends approving the Resolution with the attached amended 2017 Budget Summary. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 117.pdf

7. ORDINANCES

7.1 An Ordinance by Ald. Thiel placing a stop sign at the southwest and northeast corners of Columbus Ave. and N. 7th St. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: COLUMBUS AVE.pdf

7.2 An Ordinance by Ald. Thiel placing a stop sign at the southwest and northeast corners of Pershing Ave. and N. 7th St. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: PERSHING AVE.pdf

7.3 An Ordinance by Ald. Thiel placing a stop sign at the southwest and northeast corners of Grand Ave. and N. 7th St. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: GRAND AVE.pdf

8. MATTERS LAID OVER

8.1 R. O. No. 125-16-17 by the City Plan Commission to whom was referred Gen. Ord. No. 19-16-17 by Ald. Draughon and Rabe and R. O. No. 113-16-17 by the City Clerk for the vacation of a portion of the paved alley between Sibley Ct. on the north, Saemann Ave. on the south, Calumet Dr. on the east and Wiemann Ave. on the west; recommends that the Ordinance be passed. ACCEPT AND FILE AND PASS ORDINANCE

ATTACHMENT: GO 19-16-17.pdf

ATTACHMENT: GO 19.pdf

9. OTHER MATTERS

9.1 An R. O. by the Fire Chief submitting the quarterly report for 7/1/16 and ending 9/30/16. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: RO FIRE CHIEF.pdf

9.2 An R. O. by the City Clerk submitting a communication from Probation and Parole on behalf of inmate Christopher T. Riley requesting a waiver to the Sex Offender Residency restrictions in order to be placed at a TLP. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: RIEMANN.pdf

9.3 A Resolution 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. FINANCE

ATTACHMENT: RES ROOM TAX.pdf

9.4 An R. O. by the City Clerk submitting a communication from Sheboygan Area School District submitting the approved Tax Levy for the 2016-2017 school year. LIES OVER

ATTACHMENT: SASD.pdf

9.5 An Ordinance by Ald. Donohue repealing and recreating Article II of Chapter 114 of the Municipal Code relating to Rooms or Lodgings. FINANCE

ATTACHMENT: ORDINANCE ARTICLE II.pdf

9.6 An R. O. by the City Clerk submitting a claim from Wilson Mutual Insurance Co. on behalf of their insured L.C.N.R., LLC for alleged damages to their property due to sewer backup. FINANCE

ATTACHMENT: WILSON MUTUAL.pdf

ATTACHMENT: claim.pdf

9.7 An R. O. by the City Clerk submitting various licenses. LAW AND LICENSING

ATTACHMENT: REFER RO.pdf

10. CLOSED SESSION

10.1 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 redevelopment opportunities for the Founders Club, LLC, and a development opportunity in the 600 block of N. 8th St.

11. RECONVENE IN OPEN SESSION

12. ADJOURN MEETING

12.1 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