

AMENDED TWELFTH REGULAR COMMON COUNCIL MEETING AGENDA

"WE LEARNED ABOUT HONESTY AND INTEGRITY - THAT THE TRUTH MATTERS - THAT YOU DON'T TAKE SHORTCUTS OR PLAY BY YOUR OWN SET OF RULES.....AND SUCCESS DOESN'T COUNT UNLESS YOU EARN IT FAIR AND SQUARE."

Notice of the 12th Regular Meeting of the 2016-2017 Common Council at 6:00 p.m., MONDAY, September 19, 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

1.4 MAYOR'S APPOINTMENTS

1.5 CONFIRMATION OF MAYOR'S APPOINTMENTS

1.6 ELECTION FOR BOARD OF WATER COMMISSIONER

1.7 PRESENTATION - UPDATE FROM SHEBOYGAN COUNTY ECONOMIC DEVELOPMENT CORPORATION (SCEDC) BY DANE CHECOLINSKI, DIRECTOR

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: UPDATED RO.pdf

2.3 An R. O. by the Finance Director submitting the attached documents and recommending that the Common Council authorize the appropriate city officials to refund excess property tax payments to JFM1, LLC, NRFC Memorial Holdings, LLC, and their successors and assigns based upon the attached judgment and supporting documents providing for changes in full value assessments for assessment years 2010 through 2013. Additionally, recommending that the appropriate city officials be authorized to initiate a chargeback procedure so as to recover those portions of the tax refund that are attributable to other taxing authorities. ACCEPT AND FILE

ATTACHMENT: RO JFM1.pdf

2.4 An R. O. by the City Plan Commission to whom was referred Res. No. 90-16-17 by Alderperson Belanger authorizing the acceptance of 1106, 1110, & 1114 N. 10th Street for the purposes of razing the property for new private investment in the neighborhood as part of the Neighborhood Revitalization Strategy Area activities; recommends approval of the Resolution. ACCEPT AND FILE AND PASS RESOLUTION

ATTACHMENT: RES 90.pdf

2.5 A Resolution by Ald. Belanger, Thiel, Bitters and Bohren authorizing the appropriate City officials to accept a donation of the entire cost of a new scoreboard for the Wildwood Softball Complex from Wigg Brothers Construction. PASS RESOLUTION

ATTACHMENT: WIGG BROS..pdf

2.6 An R. C. by Law and Licensing to whom was referred R. O. No. 95-16-17 by the City Clerk, various license application; recommends granting licenses (Cruisers). ACCEPT AND ADOPT

ATTACHMENT: PURS TO RO 95.pdf

2.7 An R. C. by Law and Licensing to whom was referred R. O. No. 104-16-17 by the City Clerk, various license applications; recommends granting licenses (Sprecher's). ACCEPT AND ADOPT

ATTACHMENT: PURS RO 104.pdf

2.8 An R. C. by Finance to whom was referred Res. No. 94-16-17 by Ald. Wolf authorizing the application to the Wisconsin Coastal Management Program for an ADA canoe/kayak launch facility at Kiwanis Park; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 94.pdf

2.9 An R. C. by Finance to whom was referred Res. No. 92-16-17 by Ald. Wolf authorizing entering into contract for professional services related to the inspection of the Digester #3 cover and preparation of a design plan associated with lifting, necessary repairs and permanent mounting of the cover at the Regional Wastewater Treatment Facility; recommends approving the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 92.pdf

2.10 An R. C. by Finance to whom was referred Res. No. 91-16-17 by Ald. Wolf authorizing executing a one-year lease for the agricultural property known as the Schuchardt Property and accepting prior years of the 2014 and 2015; recommends approving the Resolution. MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 91.pdf

ATTACHMENT: Res 91-16-17.pdf

2.11 An R. C. by Finance to whom was referred R. C. No. 117-16-17 by Public Protection and Safety to whom was referred R. O. No. 76-16-17 and R. O. No. 77-16-17 by the City Clerk submitting Ambulance Financial Reports for 2013 through 2016; recommends that the document be accepted and file. ACCEPT AND ADOPT

ATTACHMENT: RC 117.pdf

2.12 An R. C. by Public Protection and Safety to whom was referred R. O. No. 96-16-17 by the City Clerk submitting a communication from Beth Breher requesting that the no parking sign in the alley between 14th and 15th Streets and Erie Ave. and St. Clair be removed; recommends that the documents be placed on file. ACCEPT AND ADOPT

ATTACHMENT: RES 96.pdf

2.13 An R. C. by Public Protection and Safety to whom was referred R. O. No. 106-16-17 by the Fire Chief submitting his quarterly report for the period commencing April 1, 2016 and ending June 30, 2016; recommends that the document be accepted and placed on file. ACCEPT AND ADOPT

ATTACHMENT: RO 106.pdf

2.14 An R. C. by Public Works to whom was referred Res. No. 95-16-17 by Alderperson Belanger authorizing the appropriate City Officials approve the selling of right-of-way from the City for purposes of reconstruction of widening Cty. Hwy. EE; recommends approving the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 95.pdf

2.15 An R. C. by Public Works to whom was referred Res. No. 96-16-17 by Alderperson Belanger authorizing the appropriate City Officials approve the selling of right-of-way from the City for purposes of reconstruction of widening Cty. Hwy. OK; recommends approving the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 96.pdf

2.16 An R. C. by Public Works to whom was referred Gen. Ord. No. 17-16-17 by Alderperson Belanger amending Section 110-103 of the City of Sheboygan Municipal Code entitled Permit Fees so as to increase certain fees and set an expiration period; recommends approving the Ordinance. ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: GO 17.pdf

2.17 An R. C. by Public Works 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-Lake Softball Organization, requesting an agreement between the City of Sheboygan and Wigg Brothers Construction Company 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 ADOPT

ATTACHMENT: RO 100.pdf

2.18 An R. C. by Public Works to whom was referred Res. No. 97-16-17 by Ald. Belanger authorizing entering into contract for the purchase and installation of seasonal and permanent aeration equipment at the Harbor Centre Marina to protect the docking systems from severe damage caused by winter ice; recommends approving the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RC - RES 97.pdf

3. REPORTS OF OFFICERS

3.1 An R. O. by the City Plan Commission to whom was referred Res. No. 81-16-17 by Alderperson Bohren approving the Capital Improvements Program recommended by the Capital Improvements Commission, for the program period of 2017-2021 and adopting the program for implementation; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, August 23, 2016 & September 13, 2016, and after due consideration, recommends approval of the Resolution. ACCEPT AND FILE AND PASS RESOLUTION

ATTACHMENT: RES 81.pdf

3.2 An R. O. by the City Plan Commission to whom was referred Gen. Ord. No. 16-16-17 by Alderperson Thiel and Alderperson Lewandoske and R.O. 101-16-17 by City Clerk amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification of property located at 1123 N 29th St from Class SO Suburban Office to Class MR Mixed Residential Class Classification; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, September 13, 2016, and after due consideration, recommends approval of the General Ordinance and RO. LIES OVER TO OCTOBER 3RD

ATTACHMENT: GO 16.pdf

3.3 An R. O. by the City Clerk submitting a petition for the vacation of a portion of the alley between Sibley Ct. on the north, Saemann Ave. on the south, Calumet Dr. on the east and Wiemann Ave. on the west, signed by the owners of all the lots and lands abutting that portion of the alley sought to be vacated and the owners of more than 1/3 of that portion of the remainder thereof. CITY PLAN COMMISSION

ATTACHMENT: RO VACATE.pdf

3.4 An R. O. by the City Clerk submitting a communication from the State of Wisconsin Department of Corrections filing an appeal to the Sex Offender Residency restrictions on behalf of State inmate Gregory M. Torres in order for him to be placed at a TLP at 930A Michigan Ave. or 1123/1125 N. 14th St. depending on availability. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: TORRES.pdf

3.5 An R. O. by the City Clerk submitting a communication from the State of Wisconsin Department of Corrections filing an appeal to the Sex Offender Residency restrictions on behalf of State inmate Matthew T. Lueck in order for him to be placed at a TLP at 930A Michigan Ave. or 1123/1125 N. 14th St. depending on availability. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: LUECK.pdf

3.6 An R. O. by the City Clerk submitting a claim from Kathleen Doyle for alleged damages to her bathroom when sewer water was forced up through her toilet. FINANCE

ATTACHMENT: RO DOYLE.pdf

3.7 An R. O. by the City Clerk submitting a communication from the State of Wisconsin Dept. of Corrections filing an appeal to the Sex Offender Residency restrictions on behalf of State inmate Calvin Anderson in order to be placed at a TLP at 930A Michigan Ave. or 1123/1125 N. 14th St. PUBLIC PROTECTION AND

SAFETY

ATTACHMENT: ANDERSON.pdf

3.8 An R. O. by the City Clerk submitting a communication from the State of Wisconsin Dept. of Corrections filing an appeal to the Sex Offender Residency on behalf of State inmate Curtis Dewitt in order to be placed at a TLP at 930A Michigan Ave. or 1123/1125 N. 14th St. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: DEWITT.pdf

3.9 An R. O. by the City Clerk submitting a communication from Clinton Adams requesting a waiver from the Sex Offender Residency restrictions in order to live at 1614 N. 9th St. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: ADAMS.pdf

3.10 An R. O. by the City Clerk submitting a communication from James Schwarten requesting to make parking on S. 24th St. between Georgia Ave. and Indiana Ave. one side only from December 1 through April 1 due to safety issues during snow plowing because the streets are so narrow. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: SCHWARTEN.pdf

4. RESOLUTIONS

4.0 Copy of A Resolution by Ald. Belanger authorizing the appropriate City Officials to execute an Amendment between the City of Sheboygan, State of Wisconsin, Department of Transportation, and McMahon Associates, Inc. for two determinations of national registry eligibility for historic resources adjacent to the North Avenue Road Project (Calumet Drive to N. 15th Street, State Project ID 4996-01-78) for the proposed sum of \$8,954.76 of which the Federal share is \$5551.95 and of which the City of Sheboygan s share is \$3402.81. PUBLIC WORKS

ATTACHMENT: MCMAHON.pdf

4.1 A Resolution by Ald. Bohren, Belanger, Donohue and Schneider expressing the Common Council s willingness to consider and support several potential models of ownership of the Sheboygan Armory in order to maximize the success of Sheboygan s bid for a proposed D-League team for the Milwaukee Bucks. PASS RESOLUTION

ATTACHMENT: BUCKS.pdf

4.2 A Resolution by Ald. Bohren authorizing a transfer of appropriations in the 2016 Budget (establish appropriation for settlement of the JFm1 LLC and NRFC Memorial Holdings, LLC for a refund of excessive real estate taxes). SUSPEND AND PASS RESOLUTION

ATTACHMENT: RES TRANSFER TAX ROLL ASSESSMENT.pdf

4.3 A Resolution by Ald. Wolf to authorize a transfer of appropriations in the 2016 Budget (establish estimated revenue and appropriation for forfeiture funds received by Police Dept.) FINANCE

ATTACHMENT: TRANSFER POLICE.pdf

4.4 A Resolution by Ald. Thiel authorizing the Purchasing Agent to enter into contract for the purchase of close quarters communication radio headsets for the Sheboygan Police Department ERT Team. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: RADIO HEADSETS.pdf

4.5 A Resolution by Ald. Belanger to enter into contract for the purchase of a sign maintenance truck body and related equipment including installation and delivery. PUBLIC WORKS

ATTACHMENT: SIGN MAINTENANCE TRUCK.pdf

4.6 A Resolution by Ald. Belanger authorizing the appropriate City Officials to execute an Amendment between the City of Sheboygan, State of Wisconsin, Department of Transportation, and McMahon Associates, Inc. for two determinations of national registry eligibility for historic resources adjacent to the North Avenue Road Project (Calumet Drive to N. 15th Street, State Project ID 4996-01-78) for the proposed sum of \$8,954.76 of which the Federal share is \$5551.95 and of which the City of Sheboygan s share is \$3402.81. PUBLIC WORKS

ATTACHMENT: MCMAHON.pdf

5. REPORTS OF COMMITTEES

5.1 An R. C. by Finance to whom was referred Res. No. 93-16-17 by Alderpersons Bohren, Belanger, Donohue and Schneider authorizing a transfer of appropriations in the 2016 Budget (establish advance from Boat Facilities Fund to Marina Fund for Marina de-icing aeration equipment/funds to be repaid with interest earnings based on Local Government Investment Pool rates); recommends approving the attached Substitute Resolution. ACCEPT AND ADOPT AND PASS SUBSTITUTE RESOLUTION

ATTACHMENT: RES 93.pdf

5.2 An R. C. by Law and Licensing to whom was referred, pursuant to R. O. No. 95-16-17 by the City Clerk, various license applications for the period ending December 31, 2016, June 30, 2017 and June 30, 2018; recommends denying Taxicab Driver License application No. 1682 based upon her failure to accurately reveal all relevant convictions on her application, her record of violations related to the licensed activity, and her failure to cooperate with the Committee. ACCEPT AND ADOPT TO DENY

ATTACHMENT: PURS TO RO 95 DENY.pdf

5.3 An R. C. by Finance to whom was referred Res. No. 98-16-17 (DIRECT REFERRAL) by Alderperson Wolf authorizing a transfer of appropriations in the 2016 Budget (establish appropriation for repaving of the cul de sac on South Pier, additional parking along South Pier Drive and replacement of street trees on South Pier); recommends approving the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 98.pdf

5.4 An R. C. by Finance to whom was referred Gen. Ord. No. 15-16-17 by Alderperson Belanger amending Section 74-63 of the City of Sheboygan Municipal Code entitled Fire Control so as to eliminate recreational fires on beaches; recommends approving the Ordinance. ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: GO 15.pdf

5.5 An R. C. by Salaries and Grievances to whom was referred Gen. Ord. No. 18-16-17 by Alderpersons Donohue, Heidemann, Lewandoske and Wolf amending the

Municipal Code so as to create a Budget Analyst position in the City Administrator s Department for the City of Sheboygan and create a job description; recommends that the Ordinance be passed. ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: GO 18.pdf

5.6 An R. C. by Law and Licensing to whom was referred a copy of 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 document as presented. FINANCE

ATTACHMENT: RO 103 LAW AND LIC.pdf

5.7 An R. C. by Public Protection and Safety to whom was referred a copy of 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 the following changes: Building Inspection Department - Add an additional Part-time Code Enforcement Officer and an additional Part-time front desk permit clerk. FINANCE

ATTACHMENT: RO 103 PP&S.pdf

5.8 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 Funds, Debt Service Funds, Capital Projects Fund, Internal Service Funds, Enterprise Funds and Fiduciary Funds; recommends the following changes: Municipal Court - Increase Court Penalty Fines \$25,000; increase Software maintenance \$3,605 and increase salary and benefits \$21,395. Block Grant Fund - Increase Intergovernmental Grant by \$281,539; establish Public Service contribution in the amount of \$140,480; increase Land by \$117,434; and increase Improvement other than buildings by \$23,625. FINANCE

ATTACHMENT: RO 103 FINANCE.pdf

5.9 An R. C. by Salaries and Grievances to whom was referred a copy of 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 budgets presented. FINANCE.

ATTACHMENT: RO 103 SAL AND GRIEVE.pdf

5.10 An R. C. by Public Works 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 Funds, Debt Service Funds, Capital Projects Fund, Internal Service Funds, Enterprise Funds and Fiduciary Funds. The 2016 estimated, 2016 amended, 2015 actual and 2014 actual amounts are included for comparison; recommends the following changes: AMEND the Storm Water Fund (blue pg. 217) transfer funds from 2016 of \$80,000 to 2017 budget. AMEND the Capital Improvement Fund Civil Defense Equipment (blue pg. 278-279) transfer funds from 2016 of \$24,600 to 2017 budget. Note blue page needs updating to reflect changes. AMEND the Capital Project Fund-Building Improvements to transfer funds from 2016 of \$55,000 to 2017 budget. AMEND the Wastewater Fund (blue pg. 332) to remove the Account 649200 Equipment Replacement 2017 budget of \$400,000. FINANCE

ATTACHMENT: RO 103 Public Works.pdf

6. ORDINANCES

6.1 An Ordinance by Ald. Draughon and Rabe 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. CITY PLAN COMMISSION

ATTACHMENT: GO VACATE.pdf

6.2 An Ordinance by Ald. Donohue, Heidemann, Lewandoske, Schneider and Wolf amending the supplement to Section 82-33 of the Sheboygan Municipal Code so as to delete the Part-Time Television Production Producers Specialist and create a Part-Time Television Production Technician WSCS (Wisconsin Sheboygan Community Stations) in the Information Technology Department, for the City of Sheboygan and create a job description. SALARIES AND GRIEVANCES

ATTACHMENT: GO TV.pdf

6.3 An Ordinance by Ald. Holzschuh, Belanger, Bohren, Draughon, Heidemann, Hou-Seye, Schneider, Thiel and Trester repealing Section 2-138 of the Municipal Code, entitled Remote attendance at meetings. COMMITTEE OF THE WHOLE

ATTACHMENT: REMOTE ATTENDANCE.pdf

6.4 An Ordinance by Ald. Holzschuh, Heidemann, Hou-Seye, Schneider, Thiel and Trester (being subject to the home rule provisions of sec. 66.0101 of the Wisconsin Statutes) to maintain the number of alderpersons in the City of Sheboygan at 16. COMMITTEE OF THE WHOLE

ATTACHMENT: CHARTER.pdf

6.5 An Ordinance by Ald. Thiel relating to 15-minute parking limits from 8:00 a.m. to 4:00 p.m. Monday through Friday so as to add the parking limits on the North side of Erie Ave. between North 7th Street and North 8th Street. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: IFC FOR ORDINANCE 15 MINUTE PARKING.pdf

ATTACHMENT: 15 minute parking.pdf

7. OTHER MATTERS

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

ATTACHMENT: REFERRED.pdf

7.2 A Resolution by Ald. Bohren, Schneider, Belanger & Donohue authorizing the sale of City-owned property in Sheboygan Business Center to Kiernan West, LLC. LIES OVER

ATTACHMENT: KIERNAN WEST.pdf

7.3 An R. O. by the City Clerk submitting a communication from Dennis Radtke regarding safety concerns at the intersection of N. 12th St. and North Ave. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: RADTKE.pdf

7.4 An R. O. by the City Clerk submitting a claim from A.F. Group on behalf of Janet Nelson for alleged injuries when she tripped on uneven pavement of the sidewalk outside of her place of employment at the Salvation Army. FINANCE

ATTACHMENT: RO NELSON.pdf

8. NOTICE TO DISCHARGE THE STRATEGIC FISCAL PLANNING COMMITTEE REGARDING R. C. NO. 378-15-16

8.1 R. C. No. 378-15-16 by Strategic Fiscal Planning to whom was referred R. C. No. 366-15-16 by Committee of the Whole regarding the Building Use Committee's recommendation for a presentation to the Common Council advocating the renovation of the current City Hall; recommends to Strategic Fiscal Planning Committee to establish a budget for renovation of the existing building or a different location.

ATTACHMENT: ATTACHMENTS FOR RC 378.pdf

8.2 Presentation by Bray Associates Architects, Inc.

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 redevelopment opportunities in the 600 block of N. 8th St. , Memorial Mall and Founders Club, LLC.

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