

FIFTH REGULAR COMMON COUNCIL MEETING AGENDA

"There are no guarantees or crystal balls for the future, and there's no absolute way to know if you are or aren't making the right decision. Give tomorrow the best possible chance that you can." ~ Kenneth Dino

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Notice of the 5th meeting of the 2016-2017 Common Council at 6:00 p.m., MONDAY, June 6, 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 APPROVAL OF MINUTES

ATTACHMENT: Common Council minutes 05-16-2016.pdf

1.3 MAYOR'S APPOINTMENTS

1.4 CONFIRMATION OF MAYOR'S APPOINTMENTS - Mark Boehlke to serve on the Sustainable Sheboygan Task Force Committee.

ATTACHMENT: APPT. BOEHLKE.pdf

1.5 PROGRAM - David Biebel on the status of the City's 2016 road repair

1.6 PUBLIC FORUM

1.7 CITY ADMINISTRATOR'S REPORT

1.8 MAYOR'S ANNOUNCEMENTS

**2. HEARINGS**

2.1 A Hearing has been scheduled and notices sent out regarding a report of assessments by the Finance Director for the resurfacing of N. 6th St. from Niagara Ave. to Superior Ave.

ATTACHMENT: HEAR N 6TH ST.pdf

2.2 A Hearing has been scheduled and notices sent out regarding a report of assessments by the Finance Director for the resurfacing of S. 17th St. from 120 feet south of Arizona Ave. to Maryland Ave.

ATTACHMENT: HEARING S 17TH ST.pdf

2.3 A Hearing has been scheduled and notices sent out regarding a report of assessments by the Finance Director for the resurfacing of Kentucky Ave. from S. 8th St. to S. 9th St.

ATTACHMENT: HEARING KENTUCKY AVE.pdf

2.4 A Hearing has been scheduled and notices sent out regarding a report of assessments by the Finance Director for the resurfacing of Georgia Av e. from S. 8th St. to S. 9th St.

ATTACHMENT: HEAR GEORGIA AVE.pdf

2.5 A Hearing has been scheduled and notices sent out regarding a report of assessments by the Finance Director for the resurfacing of Saemann Ave. from Calumet Dr. to N. 21st St.

ATTACHMENT: HEAR SAEMANN AVE.pdf

2.6 A Hearing has been scheduled and notices sent out regarding a report of assessments by the Finance Director for the resurfacing of S. 9th St. from Indiana Ave. to Georgia Ave.

ATTACHMENT: HEAR S 9TH ST.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: GRANTED RO.pdf

3.3 An R. O. by the Finance Director submitting the Annual Financial Report of the City of Sheboygan for the year ended December 31, 2015, prepared by Schenck SC. ACCEPT AND FILE

ATTACHMENT: MANAGEMENT COMMUNICATIONS.pdf

ATTACHMENT: AUDIT.pdf

3.4 A Resolution by Ald. Wolf, Bohren, Belanger and Donohue revising the travel expense guidelines adopted by Res. No. 64-78-79, as revised. PASS RESOLUTION

ATTACHMENT: Travel guidelines.pdf

3.5 An R. C. by Finance to whom was referred R. O. 25-16-17 by the City Clerk submitting a claim from American Orthodontics Corp. for a refund for personal property taxes assessed for the 2015 tax year. ACCEPT AND ADOPT.

ATTACHMENT: RO 25.pdf

3.6 An R. C. by Law and Licensing to whom was referred, pursuant to R. O. No. 22-16-17 by the City Clerk, various license applications; recommends granting licenses with various caveats (Voest). ACCEPT AND ADOPT.

ATTACHMENT: RO 22.pdf

3.7 An R. C. by Law and Licensing to whom was referred R. O. No. 27-16-17 by the City Clerk submitting various license applications; recommends granting licenses with various caveats (Cassabaum). ACCEPT AND ADOPT

ATTACHMENT: RO 27.pdf

3.8 An R. C. by Law and Licensing to whom was referred R. O. No. 28-16-17 by the City Clerk, submitting license applications; recommends granting licenses with various caveats (JMKAC). ACCEPT AND ADOPT.

ATTACHMENT: RO 28.pdf

3.9 An R. C. by Public Works to whom was referred R. O. No. 32-16-17 by the Purchasing Agent submitting National Contract pricing for the purchase of (1) wide area mower and Res. No. 12-16-17 by Ald. Belanger authorizing entering into contract for the purchase of a wide area mower for the Dept. of Public Works Motor Vehicle Division; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: wide area mower.pdf

3.10 An R. C. by Public Works to whom was referred R. O. No. 36-16-17 by the Purchasing Agent submitting a summary of costs associated with the purchase of a replacement Bobcat brand ToolCat tool carrier and Res. No. 13-16-17 by Ald. Belanger authorizing entering into contract for the purchase of a Bobcat brand Toolcat 5600 G. Series tool carrier for the Dept. of Public Works Motor Vehicle Division; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: bobcat toodcat tood carrier.pdf

3.11 An R. C. by Public Works to whom was referred R. O. No. 37-16-17 by the Purchasing Agent submitting State of Minnesota Contract pricing for the purchase of (1) trackless articulated sidewalk tractor and Res. No. 14-16-17 by Ald. Belanger authorizing entering into contract for the purchase of a sidewalk style articulated tractor and various attachments for the Dept. of Public Works Motor Vehicle Division; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: trackless sidewalk tractor.pdf

3.12 An R. C. by Public Works to whom was referred R. O. No. 35-16-17 by the Purchasing Agent submitting a Tabulation of Bids for the purchase of Two Hustler brand Commercial Grade zero turn mowers and Res. No. 15-16-17 by Ald. Belanger authorizing entering into contract for the purchase of (2) zero turn commercial grade lawn mowers for the Dept. of Public Works Motor Vehicle Division; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: zero turn mowers.pdf

3.13 An R. C. by Public Works to whom was referred R. O. No. 33-16-17 by the Purchasing Agent submitting a report of costs associated with the purchase of a new LP Gas Powered ride-on sweeper/scrubber machine and Res. No. 16-16-17 by Ald. Belanger authorizing entering into contract for the purchase of an industrial floor sweeper/scrubber for the Dept. of Public Works Motor Vehicle Division; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: sweeper scrubber machine.pdf

3.14 An R. C. by Public Works to whom was referred the following DIRECT REFERRALS - R. O. No. 39-16-17 by the Purchasing Agent submitting resume of bids for the City of Sheboygan's 2016 Bituminous Resurfacing Program and Res. No. 17-16-17 by Ald. Belanger authorizing entering into contract for the 2016 Bituminous Resurfacing Program; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: bituminous resurfacing.pdf

#### **4. REPORTS OF OFFICERS**

4.1 An R. O. by the City Clerk submitting a Summons and Complaint in the matter of Sonlight, Inc., and Samuel A. Walker v the City of Sheboygan and C. Spielvogel & Sons Excavating, Inc. FINANCE

ATTACHMENT: Sonlight.pdf

4.2 An R. O. by the City Clerk submitting a communication from the State of Wisconsin Dept. of Corrections on behalf of Troy A. Bero requesting a waiver to the Sex Offender Residency restrictions in order to live at 1123/1125 N. 14th St. or 930A Michigan, depending upon availability. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: Bero.pdf

4.3 An R. O. by the City Clerk submitting a communication from Curtis DeWitt requesting a waiver to the Sex Offender Residency restrictions in order to live at 1133 Pershing Ave. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: dewitt.pdf

4.4 An R. O. by the City Clerk submitting a communication from Lorenzo Sarabia requesting a waiver from the Sex Offender Residency restrictions in order to live at 2510 S. 7th St. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: SARABIA.pdf

4.5 An R. O. by the Director of Planning and Development submitting a communication from Leslie Kohler, SEAS Chairman, requesting permission to use the Marina Boat Launch parking lot to stage sailboats on September 19-25, 2016, for the World Sailing Championships for Blind Match Racing and Women's Match Racing. PUBLIC WORKS

ATTACHMENT: SEAS.pdf

#### **5. RESOLUTIONS**

5.1 A Resolution by Ald. Wolf approving the Amended and Restated First Amendment to Contract for Sale of Land for Private Development By and Between City of Sheboygan, Wisconsin and Eighth Street Sheboygan Housing Corporation. SUSPEND AND PASS RESOLUTION

ATTACHMENT: AmendedRestated First Amendment - Eighth Street Housing.pdf

ATTACHMENT: AWARDED AND RESTATED FIRST AMENDMENT.pdf

5.2 A Resolution by Ald. Wolf approving the First Amendment to WB-13 Vacant Land Offer to Purchase between the John Michael Kohler Arts Center and the City of Sheboygan. SUSPEND AND PASS RESOLUTION

ATTACHMENT: JMKAC AMENDMENT.pdf

ATTACHMENT: First Amendment to WB-13 Vacant Land Offer.pdf

5.3 A Resolution by Ald. Donohue and Hou-Seye confirming police power in making assessments for benefited properties which assessments are proposed for resurfacing N. 6th St. from Niagara Ave. to Superior Ave. PASS RESOLUTION

ATTACHMENT: RES N 6TH ST.pdf

5.4 A Resolution by Ald. Draughon and Rabe confirming police power in making assessments for benefited properties which assessments are proposed for resurfacing Saemann Ave. from Calumet Dr. to N. 21st St. PASS RESOLUTION

ATTACHMENT: RES SAEMANN AVE.pdf

5.5 A Resolution by Ald. Donohue and Hou-Seye confirming police power in making assessments for benefited properties which assessments are proposed for resurfacing Kentucky Ave. from S. 8th St. to S. 9th St. PASS RESOLUTION

ATTACHMENT: RES KENTUCKY AVE.pdf

5.6 A Resolution by Ald. Donohue, Hou-Seye, Hermann and Bitters confirming police power in making assessments for benefited properties which assessments are proposed for resurfacing Georgia Ave. from S. 8th St. to S. 9th St. PASS RESOLUTION

ATTACHMENT: RES GEORGIA AVE.pdf

5.7 A Resolution by Ald. Donohue, Hou-Seye, Hermann and Bitters confirming police power in making assessments for benefited properties which assessments are proposed for resurfacing S. 9th St. from Indiana Ave. to Georgia Ave. PASS RESOLUTION

ATTACHMENT: RES S 9TH ST.pdf

5.8 A Resolution by Ald. Thiel, Lewandoske, Bitters and Hermann confirming police power in making assessments for benefited properties which assessments are proposed for resurfacing S. 17th St. from 120 feet south of Arizona Ave. to Maryland Ave. PASS RESOLUTION

ATTACHMENT: RES S 17TH ST.pdf

5.9 A Resolution by Ald. Bitters officially recognizing the Indiana Avenue Corridor Neighborhood Association. LIES OVER

ATTACHMENT: Indiana corridor neighborhood association.pdf

5.10 A Resolution by Ald. Wolf providing for the Sale of Approximately \$2,740,000 General Obligation Refunding Bonds, Series 2016C. FINANCE

ATTACHMENT: 2,740,000.pdf

5.11 A Resolution by Ald. Wolf authorizing accepting a grant from the Fund for Lake Michigan in the amount of \$25,500 to be used for Adopt a Beach and Adopt a Coastal Habitat education. FINANCE

ATTACHMENT: FUND LAKE MICHIGAN.pdf

5.12 A Resolution by Ald. Wolf authorizing accepting a grant from the Wisconsin Economic Development Corporation (WEDC) in the amount of \$250,000 from the Community Development Investment (CDI) grant program to be used towards the development incentive payable to Eighth Street Sheboygan Housing Corporation. FINANCE

ATTACHMENT: WEDC.pdf

5.13 A Resolution by Ald. Thiel authorizing application for the 2016 Justice Assistance Grant Program Award (Local Solicitation) and entering into a Memorandum of Understanding with Sheboygan County. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: Justice Asst Grant Program.pdf

5.14 A Resolution by Ald. Thiel authorizing application for the United States Department of Justice, Office of Community Oriented Policing Services, 2016 COPS Hiring Program. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: 2016 cops hiring program.pdf

5.15 A Resolution by Ald. Belanger authorizing the Purchasing Agent to enter into contract for the purchase of (1) one-ton 4WD Truck equipped with dump body and snowplow for the Dept. of Public Works. PUBLIC WORKS

ATTACHMENT: 4WD TRUCK AND SNOWPLOW.pdf

5.16 A Resolution by Ald. Belanger authorizing the Purchasing Agent to enter into contract for the purchase of (1) compact articulated loader for the Dept. of Public Works Motor Vehicle Division. PUBLIC WORKS

ATTACHMENT: DPW ARTICULATED LOADER.pdf

5.17 A Resolution by Ald. Belanger authorizing executing Amendment No. 5 Scope of Work for Aid Agreement between the Wisconsin DNR and the City of Sheboygan in the amount of \$100,000 for the implementation of the Sheboygan River Area of Concern Habitat Restoration Projects. PUBLIC WORKS

ATTACHMENT: AMENDMENT NO 5.pdf

5.18 A Resolution by Ald. Belanger informing the Wisconsin DNR that the 2015 Compliance Maintenance Annual Report (CMAR) has been reviewed. PUBLIC WORKS

ATTACHMENT: CMAR.pdf

5.19 A Resolution by Ald. Belanger authorizing the Purchasing Agent to enter into contract for the purchase of (2) Pickup trucks from Ewald's Hartford Ford and (3) Pickup trucks from Sheboygan Chevrolet for the Dept. of Public Works Motor Vehicle Division. PUBLIC WORKS

ATTACHMENT: 5 TRUCKS.pdf

## **6. REPORTS OF COMMITTEES**

6.1 An R. C. by Law and Licensing who voted to recommend that the Common Council grant Alcohol License #3160 (BoMallies) an extension until July 23, 2016 to open for business, contingent upon the license holder executing the attached agreement which provides that the license holder shall voluntarily surrender the license if they are not yet open for business at the end of the extension period. ACCEPT AND ADOPT

ATTACHMENT: 3160 BOMALLIES.pdf

6.2 An R. C. by Law and Licensing to whom was referred R. O. No. 341-15-16 by the City Clerk submitting various license applications; states that the Change of Premises Application for Alcohol Beverage License #2880 - Angler's Ave. Pub & Grill has been withdrawn by the owners. ACCEPT AND ADOPT

ATTACHMENT: RO 341.pdf

6.3 An R. C. by Law and Licensing to whom was referred R. O. No. 22-16-17 by the City Clerk, submitting various license applications; recommends approval of the renewal liquor license and premise description for "Class B" Liquor license #2880 for Anglers Ave. Pub & Grill as it currently exists, subject to amendment or revision consistent with any judgment of a Circuit Court having jurisdiction of the property regulating or restricting the use of the common elements. ACCEPT AND ADOPT

ATTACHMENT: RO 22.pdf

6.4 An R. C. by Law and Licensing to whom was referred R. O. No. 341-15-16 by the City Clerk submitting various license applications; recommends that Taxicab Driver's license #1339 be denied based upon his failure to accurately reveal all relevant convictions on his application, his record of violations related to the licensed activity, his record as a repeat law violator and his failure to cooperate with the Committee. ACCEPT AND ADOPT TO DENY LICENSE

ATTACHMENT: DENY 1339.pdf

6.5 An R. C. by Law and Licensing to whom was referred R. O. No. 341-15-16 by the City Clerk submitting various license applications; recommends that Taxicab Driver's license application #9065 be denied based upon his failure to accurately reveal all relevant convictions on his application, his record of violations related to the licensed activity, his record as a repeat law violator and his failure to cooperate with the Committee. ACCEPT AND ADOPT TO DENY LICENSE

ATTACHMENT: DENY 9065.pdf

6.6 An R. C. by Law and Licensing to whom was referred R. O. No. 341-15-16 by the City Clerk submitting various license applications; recommends that Taxicab Driver's license application #1344 be denied based upon his failure to accurately reveal all relevant convictions on his application, his record of violations related to the licensed activity, and his failure to cooperate with the Committee. ACCEPT AND ADOPT TO DENY LICENSE

ATTACHMENT: DENY 1344.pdf

6.7 An R. C. by Finance who met and discussed the Organization Code for the Assessor's Office in the 2017 Budget; recommends that the Common Council eliminate the Organization Code for the Assessor's Office in the 2017 Budget; amend the Table of Organization and establish oversight for assessing activities with the Finance Dept. SALARIES AND GRIEVANCES

ATTACHMENT: RC FINANCE-ASSESSOR.pdf

## **7. ORDINANCES**

7.1 An Ordinance by Ald. Donohue, Lewandoske and Wolf amending the Municipal Code so as to change the number of Community Service Officers from 2 full-time positions to 1 full-time position and additional part-time Community Service Officers in the Police Department's Table of Organization. LIES OVER

ATTACHMENT: PD COMMUNITY POLICE TO.pdf

7.2 An Ordinance by Ald. Donohue, Lewandoske and Wolf amending the Municipal Code so as to delete one Maintenance Worker III (Tree Trimmer) and add a

Maintenance Worker III (Arborist) position in the Dept. of Public Works Table of Organization. LIES OVER

ATTACHMENT: Gen. Ord. No. 4-16-17.pdf

7.3 An Ordinance by Ald. Thiel amending the Municipal Code, so as to permit certain county officers to serve on the Emergency Planning and Preparedness Committee. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: Emergency planning committee.pdf

7.4 An Ordinance by Ald. Hou-Seye creating a section in the Municipal Code so as to make it an Offense against Public Morals and Decency for someone to taunt, tease or encourage another individual to commit suicide. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: Ald. Hou-Seye Ordinance.pdf

7.5 An Ordinance by Ald. Donohue amending the Municipal Code so as to delete the positions in the Assessor's Department for the City of Sheboygan. SALARIES AND GRIEVANCES

ATTACHMENT: ASSESSORS TO.pdf

#### **8. MATTERS LAID OVER**

8.1 R. O. No. 24-16-17 by the City Clerk submitting a communication from Debbie Desmoulin regarding the costs of the Aurora Project and that the Field of Dreams transfer to the Butzen property is a financial burden that the City of Sheboygan cannot afford. ACCEPT AND FILE

ATTACHMENT: Desmoulin.pdf

#### **9. OTHER MATTERS RECEIVED AFTER AGENDA WAS PUBLISHED**

9.1 An R. O. by the City Clerk submitting an application from South Pier Sheboygan LLC for a change in the zoning classification of property located on interior vacant land on South Pier from Class PPUD to Class South Pier Sheboygan PUD 2016 Classification. CITY PLAN COMMISSION

ATTACHMENT: South Pier Sheboygan.pdf

9.2 An Ordinance by Ald. Donohue and Hou-Seye amending the map of the Official Zoning Ordinance to change the Use District Classification of property located on interior vacant land on South Pier from Class PPUD to Class South Pier Sheboygan PUD 2016 Classification. CITY PLAN COMMISSION

ATTACHMENT: GO - South Pier Sheboygan.pdf

9.3 An R. O. by the City Clerk submitting a communication from Randy Olm, CPA, Schenck SC, regarding a real estate tax assessment adjustment for 1536 N. 18th St. FINANCE

ATTACHMENT: Randy Olm - Schenk.pdf

9.4 An R. O. by the City Clerk submitting various licenses (businesses). LAW AND LICENSING

ATTACHMENT: RO - Business.pdf

9.5 An R. O. by the City Clerk submitting various licenses (individuals).  
LAW AND LICENSING

ATTACHMENT: RO - Individual.pdf

**10. CLOSED SESSION**

10.1 A 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 on N. 10th St. and MOTION TO CONVENE IN CLOSED SESSION under the exemption provided in 19.85(1)(e), Wis. Stats., for the purpose of conducting public business (negotiation of a redevelopment agreement for the property located at 3347 Kohler Memorial Dr.) where competitive or bargaining reasons require a closed session.

**11. ADJOURN MEETING**

11.1 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