

TWENTY-FIFTH REGULAR COMMON COUNCIL MEETING AGENDA - WEDNESDAY AT 6:00 PM

"EVERY TIME YOU ARE ABLE TO FIND SOME HUMOR IN A DIFFICULT SITUATION, YOU WIN!"

Notice of the 25th meeting of the 2015-2016 Common Council at 6:00 p.m., WEDNESDAY, April 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. PLEASE NOTE: COUNCIL MEETING WILL BE HELD ON WEDNESDAY, APRIL 6TH (THE DAY AFTER THE ELECTION)

1. OPENING OF MEETING

1.1 PLEDGE OF ALLEGIANCE

1.2 ROLL CALL

1.3 APPROVAL OF MINUTES

1.4 RESIGNATIONS

1.5 MAYOR'S APPOINTMENTS

1.6 PUBLIC FORUM

1.7 MAYOR'S ANNOUNCEMENTS

2. HEARINGS

2.1 A Hearing for confirming the exercise of police power in making an assessment for those benefited properties against which assessments are proposed for Parking Assessment District 1.

ATTACHMENT: HEARING DISTRICT 1.pdf

2.2 A Hearing for confirming the exercise of police power in making an assessment for those benefited properties against which assessments are proposed for Parking Assessment District 2.

ATTACHMENT: HEARING DISTRICT II.pdf

2.3 A Hearing for confirming the exercise of police power in making an assessment for those benefited properties against which assessments are proposed for Parking Assessment District 4.

ATTACHMENT: HEARING DISTRICT IV.pdf

2.4 A Hearing for confirming the exercise of police power in making an assessment for those benefited properties against which assessments are proposed for Parking Assessment District 5.

ATTACHMENT: HEARING DISTRICT IV.pdf

2.5 A Hearing for the proposed water main replacements in South Business Dr.

from CTH OK/Riverdale Ave. to approximately 1230' north of center line of Stahl Rd.

ATTACHMENT: HEARING - WATER MAIN REPLACEMENTS.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 licenses. ACCEPT AND FILE

ATTACHMENT: corrected granted.pdf

3.3 An R. O. by the City Clerk submitting a communication from State of Wis. DNR stating their approval of the water main extension in the easement between Tower Dr. and Weeden Creek Rd. ACCEPT AND FILE

ATTACHMENT: DNR WATER MAIN.pdf

3.4 An R. O. by Transit Commission who met and discussed R. O. No. 313-15-16 by the City Clerk submitting a communication from Brian Maher expressing his concerns regarding two incidents he was involved in with Shoreline Metro; recommends that the document be placed on file. ACCEPT AND FILE

3.5 An R. O. by Transit Commission who met and discussed Res. No. 175-15-16 by Ald. Wolf approving the terms and conditions of the Parking and Access Lease Agmt. by and between the City of Sheboygan and Eighth Street Sheboygan Housing Corporation; recommends that the Resolution be passed. ACCEPT AND FILE AND PASS RESOLUTION

ATTACHMENT: RES 175.pdf

3.6 An R. O. by Transit Commission who met and discussed R. O. No. 297-15-16 by the City Clerk submitting a communication from Gerry Vanne of the Sheboygan Press requesting the removal of the 2 parking meters at the main entrance at 632 Center Ave. (Sheboygan Press building); recommends that the documents be placed on file and to deny the request. ACCEPT AND FILE

ATTACHMENT: RO 297.pdf

3.7 A Resolution by Ald. Hammond confirming the exercise of police power in making an assessment for those benefited properties against which assessments are proposed for Parking Assessment District 1. PASS RESOLUTION

ATTACHMENT: PARKING DISTRICT I.pdf

3.8 A Resolution by Ald. Hammond confirming the exercise of police power in making an assessment for those benefited properties against which assessments are proposed for Parking Assessment District 2. PASS RESOLUTION

ATTACHMENT: PARKING DISTRICT II.pdf

3.9 A Resolution by Ald. Hammond confirming the exercise of police power in making an assessment for those benefited properties against which assessments are proposed for Parking Assessment District 4. PASS RESOLUTION

ATTACHMENT: PARKING DISTRICT IV.pdf

3.10 A Resolution by Ald. Hammond confirming the exercise of police power in making an assessment for those benefited properties against which assessments

are proposed for Parking Assessment District 5. PASS RESOLUTION

ATTACHMENT: PARKING DISTRICT V.pdf

3.11 A Resolution by Ald. Hammond and Lessard confirming assessments for benefited properties against which assessments are proposed for water main replacements in South Business Drive from CTH OK/Riverdale Ave. to approximately 1230' north of center line of Stahl Rd. PASS RESOLUTION

ATTACHMENT: CONFIRM WATER MAIN ASSESSMENTS.pdf

3.12 An R. C. by Finance to whom was referred R. O. No. 310-15-16 by the City Clerk submitting a communication from the Harbor Centre Business Improvement District (BID) requesting that the City of Sheboygan release all funds collected on their behalf and those funds allocated to them for fiscal 2016; recommends that the document be accepted and filed and approve the request. ACCEPT AND ADOPT

3.13 An R. C. by Law and Licensing to whom was referred R. O. No. 296-15-16 by the City Clerk various license applications; recommends that the licenses be granted with various caveats. ACCEPT AND ADOPT

ATTACHMENT: PURSUANT RO 296.pdf

3.14 An R. C. by Law and Licensing to whom was referred R. O. No. 311-15-16 by the City Clerk various licenses; recommends that the licenses be granted. ACCEPT AND ADOPT

ATTACHMENT: PURSUANT RO 311.pdf

3.15 An R. C. by Public Works to whom was referred Res. No. 172-15-16 by Ald. Belanger declaring intent to exercise the police power to levy special assessments for the 2016 Bituminous Resurfacing Program; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 172.pdf

3.16 An R. C. by Public Works to whom was referred Res. No. 173-15-16 by Ald. Belanger authorizing amending the contract with Sure Gro, LLC for transporting and storing Sheboygan WWTP's dried biosolids; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 173.pdf

3.17 An R. C. by Public Works to whom was referred Res. No. 171-15-16 by Ald. Belanger authorizing entering into engineering services agreement for the Wastewater Treatment Facility Plan Project; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 171.pdf

3.18 An R. C. by Public Works to whom was referred Res. No. 170-15-16 by Ald. Belanger authorizing entering into engineering services agreement for the High Strength Waste Receiving and Storage Design and Construction Related Services Project; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 170.pdf

3.19 An R. C. by Finance to whom was referred Res. No. 168-15-16 by Alderperson Belanger approving the terms and conditions of the Development Agreement between Sheb Pro, LLC and the City of Sheboygan; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 168.pdf

4. REPORTS OF OFFICERS

4.1 An R. O. by the City Plan Commission to whom was referred Gen. Ord. No. 49-15-16 by Ald. Donohue and Hou-seye and R. O. No. 308-15-16 by the City Clerk amending the Zoning Map to change the Use District Classification of property located at 824 S. 8th St. from Class CC Central Commercial to Class CC with PUD overlay (SEAS Planned Unit Development 2016) Classification; recommends that the Ordinance be passed. LIES OVER TO APRIL 18TH

ATTACHMENT: GO 49.pdf

4.2 An R. O. by the Dir. of Planning and Development requesting, on behalf of the SCEDC, the use of one of the City's free Blue Harbor Conference Center days to host a reception as part of the Developer's/Retail Summit on August 8, 2016. FINANCE

ATTACHMENT: SCEDC REQUEST.pdf

4.3 An R. O. by the Chief of Police submitting the Sheboygan Police Department's Annual Report for 2015. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: ANNUAL REPORT.pdf

4.4 An R. O. by the City Clerk submitting a communication from Travis Gandy requesting a waiver to the Sex Offender Residency restrictions in order to live at Super 8 Hotel, 3402 Wilgus Ave. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: GANDY.pdf

4.5 An R. O. by the City Clerk submitting a communication from the State of WI Dept. of Corrections requesting a waiver to the Sex Offender Residency restrictions on behalf of State inmate Bradley J. Curler in order for Mr. Curler to be placed at a Transitional Living Placement located at one of the following locations depending on availability: 930A Michigan Ave. or 1123/1125 N. 14th St. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: CURLER.pdf

4.6 An R. O. by City Clerk submitting a communication from Jeff Markworth requesting a waiver from the Sex Offender Residency restrictions in order to live at 926 Indiana Ave., Apt. 2. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: MARKWORTH.pdf

4.7 An R. O. by the City Clerk submitting a communication from Christopher Gable requesting a waiver from the Sex Offender Residency restrictions in order to be placed at a TLP at either 1123/1125 N. 14th St. or 930A Michigan Ave. (depending on availability). PUBLIC PROTECTION AND SAFETY

ATTACHMENT: GABLE.pdf

4.8 An R. O. by the City Clerk submitting a communication from Adam Borland

requesting a waiver from the Sex Offender Residency restrictions in order to live at 531 Erie Ave. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: BORLAND.pdf

4.9 An R. O. by the City Clerk submitting an email from Ald. Bohren to City Atty. Adams regarding "Hot In Place Paving" legal options. PUBLIC WORKS

ATTACHMENT: BOHREN.pdf

5. RESOLUTIONS

5.1 A Resolution by Ald. Donohue, Heidemann, Bohren and Kath making changes to the 2016 Compensation Program for Non-Represented Employees. SUSPEND AND PASS RESOLUTION

ATTACHMENT: RES COMPENSATION.pdf

5.2 A Resolution by Ald. Hammond authorizing a transfer of appropriations in the 2016 Budget. FINANCE

ATTACHMENT: TRANSFER BIKE RODEO.pdf

5.3 A Resolution by Ald. Belanger authorizing entering into a State/Municipal Agreement for the design and construction of the Pennsylvania Ave. Bridge project. PUBLIC WORKS

ATTACHMENT: PENN AVE BRIDGE.pdf

5.4 A Resolution by Ald. Belanger authorizing City Officials to enter into contract with Oneida Total Integrated Enterprises (OTIE), for construction management and oversight for the Sheboygan River habitat restoration improvement projects. PUBLIC WORKS

ATTACHMENT: OTIE.pdf

5.5 A Resolution by Ald. Belanger authorizing City Officials to enter into contract with Applied Ecological Services (AES) for landscape maintenance and management for the Sheboygan River habitat restoration improvement projects. PUBLIC WORKS

ATTACHMENT: AES.pdf

6. REPORTS OF COMMITTEES

6.1 An R. C. by Finance to whom was referred Res. No. 166-15-16 by Ald. Hammond awarding the sale of \$3,400,000 General Obligation Promissory Notes, Series 2016A; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 166.pdf

ATTACHMENT: UPDATED RES 166.pdf

6.2 An R. C. by Finance to whom was referred Res. No. 167-15-16 by Ald. Hammond awarding the sale of \$7,550,000 Taxable General Obligation Promissory Notes, Series 2016B; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 167.pdf

ATTACHMENT: UPDATED RES 167.pdf

6.3 An R. C. by Finance to whom was referred R. O. No. 309-15-16 by the City Clerk submitting a communication from the Government Property Disposal Division, regarding the Social Security Administration Trust Building at 606 N. 9th St.; recommends that the City file a letter of interest, without obligation, to acquire the property for negotiated sale. ACCEPT AND ADOPT

ATTACHMENT: RO 309.pdf

6.4 An R. C. by Law and Licensing to whom was referred R. O. No. 284-15-16 by the City Clerk submitting various license applications; recommends that Taxicab Driver's License #0359 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 record as a repeat law violator. ACCEPT AND ADOPT

ATTACHMENT: RO 284.pdf

6.5 An R. C. by Public Works to whom was referred R. O. No. 312-15-16, R. C. No. 335-15-16 and Res. No. 169-15-16 by Ald. Belanger authorizing entering into contract with Bonnell Industries, Inc., for purchase of new leaf collection equipment; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RO 312.pdf

7. ORDINANCES

7.1 An Ordinance by Ald. Hammond amending sections of the Municipal Code relating to petty cash funds. FINANCE

ATTACHMENT: PETTY CASH.pdf

7.2 An Ordinance by Ald. Thiel repealing and recreating Sections of the Municipal Code relating to measurement of distance in the sexual offender residency restrictions to conform with changes to the state statutes. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: SEX OFFENDER RESIDENCY DISTANCE.pdf

7.3 An Ordinance by Ald. Thiel relating to adding no parking, stopping, standing anytime on the east side of S. 9th St. north of Indiana Ave. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: NO PARKING.pdf

7.4 An Ordinance by Ald. Thiel removing the stop signs at the northwest and southeast corners of Wisconsin Ave. and N. 7th St. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: STOP SIGNS.pdf

7.5 An Ordinance by Ald. Thiel amending Sections of the Municipal Code relating to certification of compliance with clearwater requirements. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: CLEARWATER ORD.pdf

8. MATTERS LAID OVER

8.1 R. O. No. 307-15-16 by the City Clerk submitting a communication from

the Wis. Dept. of Admin. stating that the resubmitted Sheet 2 of Mueller Field West has been reviewed and the Dept. does not object to the final plat. ACCEPT AND FILE

ATTACHMENT: 2ND SHEET MUELLER FIELD WEST.pdf

9. OTHER MATTERS RECEIVED AFTER THE AGENDA WAS PUBLISHED

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

ATTACHMENT: GRANTED.pdf

9.2 An R. O. by the City Clerk submitting a communication from Paul and Lisa Roberts, owners of Anglers Avenue Pub and Grill to propose an expansion of operations on a seasonal basis to include a vacant (.1 acre) lot adjacent to Anglers Avenue. LAW AND LICENSING

ATTACHMENT: ROBERTS.pdf

9.3 A Resolution by Ald. Hammond authorizing a transfer of appropriations in the 2016 Budget (establish appropriation for purchase of adjacent lot to Wildwood Athletic field). FINANCE

ATTACHMENT: TRANSFER.pdf

9.4 A Resolution by Ald. Kath and Thiel directing a public hearing to change the City's Future Land Use Map of the Comprehensive Plan to change property located at 1413 Erie Ave. and 1416 Ontario Ave. from Neighborhood Preservation to Community Mixed Use. LIES OVER

ATTACHMENT: PUBLIC HEARING LAND USE 1413 ERIE.pdf

9.5 An Ordinance by Ald. Kath and Thiel amending the City's Future Land Use Map of the Comprehensive Plan to change properties located at 1413 Erie Ave. and 1416 Ontario Ave. from Neighborhood Preservation to Community Mixed Use. CITY PLAN

ATTACHMENT: GO LAND USE 1413 ERIE AVE.pdf

9.6 An R. O. by the City Clerk submitting an application from SMET Constructions, Inc., to change Use District Classification of properties located at 1413 Erie Ave and 1416 Ontario Ave. from NR Neighborhood Residential to UC Urban Commercial Classification. CITY PLAN

ATTACHMENT: RO 1413 ERIE AND 1416 ONTARIO AVE. (LAG).pdf

9.7 A Resolution by Ald. Kath and Thiel directing a public hearing to be held in connection with change of the City's Official Zoning Map for property located at 1413 Erie Ave. and 1416 Ontario Ave. LIES OVER

9.8 An Ordinance by Ald. Kath and Thiel amending the zoning map to change Use District Classification of property located at 1413 Erie Ave. and 1416 Ontario Ave. from NR Neighborhood Residential to UC Urban Commercial Classification. CITY PLAN

ATTACHMENT: GO ZONE 1413 ERIE.pdf

9.9 An R. O. by the City Clerk submitting an application from Paper Box &

Specialty to rezone property located at 1524/1526 Saemann Ave. from UC Urban Commercial to UI Urban Industrial Classification. CITY PLAN

ATTACHMENT: RO REZONE 1524 SAEMANN AVE.pdf

9.10 A Resolution by Ald. Kath and Thiel directing a public hearing to change the City's Zoning Map for property located at 1524/1526 Saemann Ave. LIES OVER

9.11 An Ordinance by Ald. Kath & Thiel amending the zoning map to change Use District Classification of property at 1524/1526 Saemann Ave. from Class UC Urban Commercial to Class UI Urban Industrial Classification. CITY PLAN

ATTACHMENT: GO ZONE MAP 1524 SAEMANN AVE.pdf

9.12 A Resolution by Ald. Kath and Thiel directing a public hearing to change the City's Future Land Use Map of the Comprehensive Plan for property located at 1524/1526 Saemann Ave. from Neighborhood Preservation to Employment Classification. LIES OVER

ATTACHMENT: RES PUBLIC HEARING FUTURE LAND USE 1524 SAEMANN AVE.pdf

9.13 An Ordinance by Ald. Kath & Thiel amending the City's Future Land Use Map of the Comprehensive Plan to change the Land Use Classification of property located at 1524/1526 Saemann Ave. from Neighborhood Preservation to Employment Classification. CITY PLAN

ATTACHMENT: GO LAND USE 1524 SAEMANN.pdf

10. NOTICE THAT AS OF THIS POINT IN THE AGENDA, THERE WILL BE A JOINT MEETING OF THE COMMON COUNCIL AND THE REDEVELOPMENT AUTHORITY IN CLOSED SESSION

10.1 MOTION TO CONVENE IN CLOSED SESSION under the exemption provided in Sec. 19.85(1)(e) of the Wis. Stats. for the purpose of deliberating the possible sale of public property where competitive and bargaining reasons require a closed session related to (a) the potential development agreement related to the South Pier District and (b) the development agreement with Oakbrook Corporation and the former Boston Store property.

10.2 NOTICE: Redevelopment Authority will adjourn and the joint meeting will end prior to the council considering the development agreement with Oakbrook Corporation and the former Boston Store property.

11. ADJOURN MEETING

11.1 Adjourn meeting

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