

TWENTY-THIRD REGULAR COMMON COUNCIL MEETING MINUTES - 6: 00 PM (Monday, March 7, 2016) Generated by Susan Richards on Tuesday, March 8, 2016 Members present Rosemarie Trester, Roman Draughon, Todd Wolf, Job Hou-Seye, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue (remotely), Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel - 15 . Meeting called to order at 6: 00 PM

1. OPENING OF MEETING

1.1 PLEDGE OF ALLEGIANCE

1.2 ROLL CALL - NOTICE THAT ALD. DONOHUE WILL BE ATTENDING THE MEETING REMOTELY

MOMENT OF SILENCE IN HONOR OF PAST ALDERPERSON MARGE SEGALLE AND FOR SEAN ZEMPEL

1.3 APPROVAL OF MINUTES MOTION TO APPROVE MINUTES Motion by Don Hammond, second by John Belanger.

Final Resolution:

Motion Passes Aye: Rosemarie Trester, Roman Draughon, Todd Wolf, Job Hou-Seye, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel

1.4 RESIGNATIONS - None

1.5 MAYOR'S APPOINTMENTS - Sgt. Ryan Schmitt to Bd. of Marina, Parks and Forestry Motion to Confirm Motion by Don Hammond, second by John Belanger.

Final Resolution:

Motion Passes Aye: Rosemarie Trester, Roman Draughon, Todd Wolf, Job Hou-Seye, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel

1.6 PUBLIC FORUM - Jason Peters and Colin Kachel spoke.

1.7 MAYOR'S ANNOUNCEMENTS

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.

Resolution:

MOTION TO ACCEPT AND FILE ALL RO'S, ACCEPT AND ADOPT ALL RC'S AND PASS ALL RESOLUTIONS AND ORDINANCES MOTION TO ACCEPT AND FILE ALL RO'S, ACCEPT AND ADOPT ALL RC'S AND PASS ALL RESOLUTIONS AND ORDINANCES Motion by Don Hammond, second by John Belanger.

Final Resolution:

Motion Passes Aye: Rosemarie Trester, Roman Draughon, Todd Wolf, Job Hou-Seye, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel

2.2 R. O. No. 287 - 15 - 16 by the City Clerk granting various license applications. ACCEPT AND FILE

Resolution:

MOTION TO ACCEPT AND FILE MOTION TO ACCEPT AND FILE ALL RO'S, ACCEPT AND ADOPT ALL RC'S AND PASS ALL RESOLUTIONS AND ORDINANCES Motion by Don Hammond, second by John Belanger.

Final Resolution:

Motion Passes Aye: Rosemarie Trester, Roman Draughon, Todd Wolf, Job Hou-Seye, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel

2.3 R. O. No. 288 - 15 - 16 by the City Clerk submitting an application for a private well permit for Thomas R. Testwuide. ACCEPT AND FILE

Resolution:

MOTION TO ACCEPT AND FILE MOTION TO ACCEPT AND FILE ALL RO'S, ACCEPT AND ADOPT ALL RC'S AND PASS ALL RESOLUTIONS AND ORDINANCES Motion by Don Hammond, second by John Belanger.

Final Resolution:

Motion Passes Aye: Rosemarie Trester, Roman Draughon, Todd Wolf, Job Hou-Seye, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel

2.4 R. O. No. 290 - 15 - 16 by the Purchasing Agent submitting an updated purchasing policy consistent with City Ordinances and/or State Statutes. ACCEPT AND FILE

Resolution:

MOTION TO ACCEPT AND FILE MOTION TO ACCEPT AND FILE ALL RO'S, ACCEPT AND ADOPT ALL RC'S AND PASS ALL RESOLUTIONS AND ORDINANCES Motion by Don Hammond, second by John Belanger.

Final Resolution:

Motion Passes Aye: Rosemarie Trester, Roman Draughon, Todd Wolf, Job Hou-Seye, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel

2.5 R. C. No. 305 - 15 - 16 by Law and Licensing to whom was referred R. O. No. 248 - 15 - 16 by the City Clerk submitting various license applications; recommends that Taxicab Driver's License # 0321 be withdrawn (by request from the applicant). ACCEPT AND FILE

Resolution:

MOTION TO ACCEPT AND FILE MOTION TO ACCEPT AND FILE ALL RO'S, ACCEPT AND ADOPT ALL RC'S AND PASS ALL RESOLUTIONS AND ORDINANCES Motion by Don Hammond, second by John Belanger.

Final Resolution:

Motion Passes Aye: Rosemarie Trester, Roman Draughon, Todd Wolf, Job Hou-Seye, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel

2.6 R. C. No. 306 - 15 - 16 by Law and Licensing to whom was referred, pursuant to R. O. No. 284 - 15 - 16 by the City Clerk various license applications; recommends that the licenses be granted (Superior Bar). ACCEPT

AND ADOPT

Resolution:

MOTION TO ACCEPT AND ADOPT MOTION TO ACCEPT AND FILE ALL RO'S, ACCEPT AND ADOPT ALL RC'S AND PASS ALL RESOLUTIONS AND ORDINANCES Motion by Don Hammond, second by John Belanger.

Final Resolution:

Motion Passes Aye: Rosemarie Trester, Roman Draughon, Todd Wolf, Job Hou-Seye, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel

2.7 R. O. No. 289 - 15 - 16 by the City Plan Commission to whom was referred R. O. No. 279 - 15 - 16 by the City Clerk submitting communication from Krueger Land Survey with the final plat of the Mueller Field West Subd. in the Tn. of Sheboygan for review. ACCEPT AND FILE

Resolution:

MOTION TO ACCEPT AND FILE MOTION TO ACCEPT AND FILE ALL RO'S, ACCEPT AND ADOPT ALL RC'S AND PASS ALL RESOLUTIONS AND ORDINANCES Motion by Don Hammond, second by John Belanger.

Final Resolution:

Motion Passes Aye: Rosemarie Trester, Roman Draughon, Todd Wolf, Job Hou-Seye, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel

2.8 R. C. No. 307 - 15 - 16 by Public Protection and Safety to whom was referred R. O. No. 286 - 15 - 16 by the Fire Chief submitting his quarterly report for period commencing 10 / 1 / 15 through 12 / 31 / 15. ACCEPT AND ADOPT

Resolution:

MOTION TO ACCEPT AND ADOPT MOTION TO ACCEPT AND FILE ALL RO'S, ACCEPT AND ADOPT ALL RC'S AND PASS ALL RESOLUTIONS AND ORDINANCES Motion by Don Hammond, second by John Belanger.

Final Resolution:

Motion Passes Aye: Rosemarie Trester, Roman Draughon, Todd Wolf, Job Hou-Seye, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel

2.9 R. C. No. 310 - 15 - 16 by Salaries and Grievances to whom was referred Gen. Ord. No. 47 - 15 - 16 by Ald. Donohue amending Section 82 - 33 of the Municipal Code so as to update the salary grade of various positions in the Dept. of Public Works. ACCEPT AND ADOPT AND PASS ORDINANCE

Resolution:

MOTION TO ACCEPT AND ADOPT AND PASS ORDINANCE MOTION TO ACCEPT AND FILE ALL RO'S, ACCEPT AND ADOPT ALL RC'S AND PASS ALL RESOLUTIONS AND ORDINANCES Motion by Don Hammond, second by John Belanger.

Final Resolution:

Motion Passes Aye: Rosemarie Trester, Roman Draughon, Todd Wolf, Job Hou-Seye, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel

3. REPORTS OF OFFICERS

3.1 R. O. No. 297 - 15 - 16 by the City Clerk submitting a communication from the Sheboygan Press requesting the removal of the 2 parking meters at the main entrance at 632 Center Ave. PUBLIC PROTECTION AND SAFETY

3.2 R. O. No. 291 - 15 - 16 by the City Clerk submitting a communication from the Wis. Dept. of Administration stating that they do not object to the final plat for Mueller Field West. ACCEPT AND FILE MOTION TO ACCEPT AND FILE Motion by Don Hammond, second by John Belanger.

Final Resolution:

Motion Passes Aye: Rosemarie Trester, Roman Draughon, Todd Wolf, Job Hou-Seye, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel

3.3 R. O. No. 292 - 15 - 16 by the Purchasing Agent submitting expenses for provision of financial advisory services on a contract renewal basis for 4 / 1 / 16 - 3 / 31 / 18. LIES OVER

3.4 R. O. No. 298 - 15 - 16 by the City Clerk submitting a communication from Jason Martin requesting a waiver from the Sex Offender Residency restrictions in order to live at 1326 A Michigan Ave. PUBLIC PROTECTION AND SAFETY

3.5 R. O. No. 299 - 15 - 16 by the City Clerk submitting a communication from Christopher Gable requesting a waiver from the Sex Offender Residency restrictions in order to live at 2501 N. 6 th St. PUBLIC PROTECTION AND SAFETY

3.6 R. O. No. 300 - 15 - 16 by the City Clerk submitting a communication from Bob Price requesting a waiver from the Sex Offender Residency restrictions in order to live at 820 Z Court. PUBLIC PROTECTION AND SAFETY

3.7 R. O. No. 301 - 15 - 16 by the City Clerk submitting a communication from Jeremy Hamilton requesting a waiver from the Sex Offender Residency restrictions in order to live at 1226 N. 14 th St. PUBLIC PROTECTION AND SAFETY

3.8 R. O. No. 302 - 15 - 16 by the City Clerk submitting a communication from Jeffrey S. Markworth requesting a waiver from the Sex Offender Residency restrictions in order to live at 926 Indiana Ave., Apt. #

2. PUBLIC PROTECTION AND SAFETY

3.9 R. O. No. 303 - 15 - 16 by the City Clerk submitting a communication from Mitchell D. Pask requesting a waiver from the Sex Offender Residency restrictions in order to live at 916 B Michigan Ave. PUBLIC PROTECTION AND SAFETY

3.10 R. O. No. 304 - 15 - 16 by the City Clerk submitting a communication from the Wis. Dept. of Corrections on behalf of Timothy Jonnies requesting a waiver to the Sex Offender Residency restrictions in order to be placed at 930 A Michigan Ave. or 1123 / 1125 N. 14 th St. PUBLIC PROTECTION AND SAFETY

3.11 R. O. No. 305 - 15 - 16 by the City Clerk submitting a communication from Jesus Ruiz requesting a waiver from the Sex Offender Residency restrictions in order to live at 1628 Kentucky Ave. PUBLIC PROTECTION AND SAFETY

4. RESOLUTIONS

4.1 Res. No. 150 - 15 - 16 by Ald. Belanger authorizing executing the Deed from the City to Sheb Retail LLC. SUSPEND AND PASS RESOLUTION MOTION TO SUSPEND AND PASS RESOLUTION Motion by John Belanger, second by Jim Bohren.

Final Resolution:

Motion Passes Aye: Rosemarie Trester, Roman Draughon, Todd Wolf, Job Hou-Seye, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel

4.2 Res. No 151 - 15 - 16 by Ald. Kath, Heidemann, Wolf and Donohue authorizing cancelling the contract with the State of WI Office of the

Commissioner of Insurance, Local Government Property Insurance Fund effective June 1, 2016. PASS RESOLUTION MOTION TO PASS RESOLUTION Motion by Don Hammond, second by John Belanger.

Final Resolution:

Motion Passes Aye: Rosemarie Trester, Roman Draughon, Todd Wolf, Job Hou-Seye, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel

4.3 Res. No. 152 - 15 - 16 by Ald. Kath, Heidemann, Wolf & Donohue authorizing entering into contract renewal for obtaining financial advisory services formerly referred to as bond counsel services; recommends that the Resolution be passed. LIES OVER

4.4 Res. No. 153 - 15 - 16 by Ald. Donohue officially recognizing the Neighborhood Association named Near North Neighbors. LIES OVER

4.5 Res. No. 154 - 15 - 16 by Ald. Hammond authorizing a transfer of appropriations in the 2016 Budget (establish revenue and appropriation for contract with Truck Country for upgrade of the de-icing tank system). FINANCE

4.6 Res. No. 155 - 15 - 16 by Ald. Hammond supplementing Res. No. 100 - 05 - 06 ; Awarding the Sale of \$2,125,000 Water Utility Revenue Refunding Bonds, Series 2016 and Proving for the Payment of said Bonds and Other Details and Covenants With Respect Thereto. FINANCE

4.7 Res. No. 156 - 15 - 16 by Ald. Belanger declaring the second Saturday in May, International Migratory Bird Day. PUBLIC WORKS

4.8 Res. No. 157 - 15 - 16 by Ald. Belanger authorizing advertising for bids for the 2016 Concrete Sidewalk Program. PUBLIC WORKS

4.9 Res. No. 158 - 15 - 16 by Ald. Belanger authorizing entering into a revised State/Municipal Agreement for design and construction of the 8 th St. Sheboygan Bridge project for 2017 construction. PUBLIC WORKS

4.10 Res. No. 159 - 15 - 16 by Ald. Belanger authorizing executing a contract between the City and AECOM for engineering consulting services for the S. 8 th St. Bridge. PUBLIC WORKS

5. REPORTS OF COMMITTEES

5.1 R. C. No. 308 - 15 - 16 by Finance to whom was referred Res. No. 148 - 15 - 16 by Ald. Hammond providing for the Sale of Approximately \$3,400,000 General Obligation Promissory Notes, Series 2016 A; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTION Motion by Don Hammond, second by John Belanger.

Final Resolution:

Motion Passes Aye: Rosemarie Trester, Roman Draughon, Todd Wolf, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel - 14 Nay: Job Hou-Seye - 1 .

5.2 R. C. No. 309 - 15 - 16 by Finance to whom was referred Res. No. 149 - 15 - 16 by Ald. Hammond providing for the Sale of Approximately \$7,550,000 Taxable General Obligation Promissory Notes, Series 2016 B; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTION Motion by Don Hammond, second by John Belanger.

Final Resolution:

Motion Passes Aye: Rosemarie Trester, Roman Draughon, Todd Wolf, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel

5.3 R. C. No. 303 - 15 - 16 by Law and Licensing to whom was referred, pursuant to R. O. No. 248 - 15 - 16 by the City Clerk various license applications; recommends that Beverage Operator's License # 0149 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 Motion by Don Hammond, second by John Belanger to re-refer back to the Law and Licensing Committee, all ayes.

5.4 R. C. No. 304 - 15 - 16 by Law and Licensing to whom was referred, pursuant to R. O. No. 248 - 15 - 16 by the City Clerk various license applications; recommends that Taxicab Driver's License application # 0545 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 MOTION TO ACCEPT AND ADOPT TO DENY Motion by Susan Lessard, second by Joseph Heidemann.

Final Resolution:

Motion Passes Aye: Rosemarie Trester, Roman Draughon, Todd Wolf, Job Hou-Seye, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel

5.5 R. C. No. 311 - 15 - 16 by Building Use Committee met and discussed the future status of City Hall, costs for renovation, an analysis of potential building sites, costs to build new, and/or renovating other existing buildings within the downtown business district; recommends advocating the renovation of the current City Hall as presented in the attached report. COMMITTEE OF THE WHOLE

6. MATTERS LAID OVER

6.1 Res. No. 146 - 15 - 16 by Ald. Kath, Donohue, Heidemann and Wolf authorizing a transfer of appropriations in the 2015 Budget (establish appropriation for payments in the Fire Dept. to retirees). PASS RESOLUTION MOTION TO PASS RESOLUTION Motion by Don Hammond, second by John Belanger.

Final Resolution:

Motion Passes Aye: Rosemarie Trester, Roman Draughon, Todd Wolf, Job Hou-Seye, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel

6.2 Res. No. 147 - 15 - 16 by Ald. Kath, Donohue, Heidemann and Wolf authorizing a transfer of appropriations in the 2016 Budget (establish appropriation for purchase of compact articulated loader for Parking Utility). PASS RESOLUTION MOTION TO PASS RESOLUTION Motion by Don Hammond, second by John Belanger.

Final Resolution:

Motion Passes Aye: Rosemarie Trester, Roman Draughon, Todd Wolf, Job Hou-Seye, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel

7. OTHER MATTERS

7.1 R. O. No. 296 - 15 - 16 by the City Clerk submitting various license applications. LAW AND LICENSING

7.2 R. O. No. 293 - 15 - 16 by the City Clerk submitting a claim from Linda Graves for alleged damages when the police broke her back door as they had a search warrant for a Bryan Graves. FINANCE

7.3 R. O. No. 294 - 15 - 16 by the City Clerk submitting a Petition, Notice and List of Tax Liens of Sheboygan County being foreclosed by Proceeding in Rem. 2008, 2009, 2010, 2011 and 2012 Number

42. FINANCE

7.4 R. O. No. 295 - 15 - 16 by the City Clerk submitting a claim from Mang Yang for alleged damages to their vehicle when a snow plow driver hit the vehicle with the wing of the snow plow. FINANCE

8. CONVENE IN CLOSED SESSION

8.1 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 the development agreement with Oakbrook Corporation and the former Boston Store property and a development opportunity on Indiana Ave. AND MOTION TO CONVENE IN CLOSED SESSION under the exemption provided in Sec.

19.85 (1)(c) for the purpose of considering employment, and compensation of a public employee over which the governmental body will have jurisdiction or exercises responsibility. MOTION TO CONVENE IN CLOSED SESSION Motion by Don Hammond, second by John Belanger.

Final Resolution:

Motion Passes Aye: Rosemarie Trester, Roman Draughon, Todd Wolf, Job Hou-Seye, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel

9. RECONVENE IN OPEN SESSION - Motion by Don Hammond and second by John Belanger to reconvene in open session was passed, all ayes.

9.1 Mayor's Appointment MOTION TO SUSPEND AND CONFIRM APPOINTMENT Motion by Don Hammond, second by John Belanger.

Final Resolution:

Motion Passes Aye: Rosemarie Trester, Roman Draughon, Todd Wolf, Job Hou-Seye, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel

9.2 Discussion and possible action regarding an offer of employment.

MOTION TO APPROVE ENTERING INTO AN OFFER OF EMPLOYMENT SUBSTANTIALLY SIMILAR TO THE ONE PRESENTED Motion by Don Hammond, second by John Belanger.

Final Resolution:

Motion Passes Aye: Rosemarie Trester, Roman Draughon, Todd Wolf, Job Hou-Seye, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel

10. ADJOURN

10.1 Motion to adjourn meeting

Motion by Don Hammond, second by John Belanger.

Final Resolution:
Motion Passes

Aye: Rosemarie Trester, Roman Draughon, Todd Wolf, Job Hou-Seye, Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann,

Susan Lessard, Bill Thiel