

TWENTY-FIRST REGULAR COMMON COUNCIL MEETING AGENDA - 6:00 PM

"It is incredible how much can be accomplished when everyone can do their jobs to the best of their ability, be respected and supported by their colleagues and all move towards a common goal."

Notice of the 21st meeting of the 2015-2016 Common Council at 6:00 p.m., MONDAY, February 1, 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 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. 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: the UPDATED RO.pdf

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

ATTACHMENT: BUILDING CONTRACTOR LICENSES.pdf

2.4 An R. O. by the City Attorney submitting, as a matter of record, easements for mini-storm sewers which have been recorded in the Sheboygan County Register of Deeds office. ACCEPT AND FILE

ATTACHMENT: RO EASEMENTS.pdf

ATTACHMENT: 3 easements.pdf

2.5 An R. O. by the Bd. of Water Commissioners requesting amendment to Section 122-98(c) of the Municipal Code relating to Water Main Extensions and Special Assessments. ACCEPT AND FILE

ATTACHMENT: AMEND SECTION 122-98(c).pdf

2.6 An R. O. by the Bd. of Water Commissioners requesting amendment to Section 26-1007 of the Municipal Code to address the failure of galvanized water service laterals. ACCEPT AND FILE

ATTACHMENT: AMEND SECTION 26-1007.pdf

2.7 An R. O. by the Bd. of Water Commissioners requesting amendment to Section 122-98(c)(2) of the Municipal Code relating to Water Main Extensions and Special Assessments to include "commercial zoned properties with lots zoned as single and two family residential to be assessed only for water main in excess of 220 feet. ACCEPT AND FILE

ATTACHMENT: SECTION 122-98(c)(2).pdf

2.8 An R. O by the Bd. of Water Commissioners requesting amending Section 26-1003 of the Municipal Code relating to Water services and private water mains. ACCEPT AND FILE

ATTACHMENT: AMEND SEC 26-1003.pdf

2.9 An R. O. by the Transit Commission to whom was referred R. O. No. 254-15-16 and Res. No. 134-15-16 by Ald. Belanger authorizing entering into contract for the purchase of (1) compact articulated loader for the Parking Utility; recommends that the Resolution be passed. ACCEPT AND FILE AND PASS RESOLUTION

ATTACHMENT: RO 254-15-16.pdf

2.10 An R. C. by Finance to whom was referred Res. No. 135-15-16 by Ald. Hammond approving the terms and conditions of the Contract for Sale of Land, By and Between the City of Sheboygan and Eighth-New Jersey, LLC; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 135.pdf

2.11 An R. C. by Salaries & Grievances to whom was referred Res. No. 132-15-16 by Ald. Donohue adopting the revised City of Sheboygan Compensation Program for Non-Represented Employees; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: COMPENSATION PACKAGE.pdf

2.12 An R. C. by Salaries and Grievances to whom was referred Res. No. 133-15-16 by Ald. Donohue adopting the City of Sheboygan 2016 Employee Handbook; recommends that the Resolution be passed along with the amended Handbook. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: THE UPDATED HANDBOOK.pdf

2.13 An R. C. by Law and Licensing to whom was referred R. O. No. 237-15-16 by the City Clerk submitting license applications; recommends that the license be granted (Baratta). ACCEPT AND ADOPT

ATTACHMENT: PURS TO RO 237.pdf

2.14 An R. C. by Law and Licensing to whom was referred R. O. No. 248-15-16 by the City Clerk submitting various license applications; recommends amending

R. O. No. 248-15-16 to include Taxicab Driver's License application #0650 (Ronald H. Hansen) and granting licenses on the amended RO with various caveats (Bella Vida). ACCEPT AND ADOPT

ATTACHMENT: PURS TO RO 248.pdf

2.15 An R. C. by Finance to whom was referred R. O. No. 193-15-16 by the City Clerk submitting a Notice of Claim and Claim - Itemized Statement of Belief in the matter of Ricky J. Van Der Vaart against the City of Sheboygan and to request that the City Attorney send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 193.pdf

2.16 An R. C. by Finance to whom was referred R. O. No. 194-15-16 by the City Clerk submitting a claim from Melissa Kaule for alleged damages to her vehicle when a City tree split in half and fell on her parked car; recommends that the claim be denied and to request that the City Attorney send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 194.pdf

2.17 An R. C. by Finance to whom was referred R. O. No. 208-15-16 by the City Clerk submitting a claim from Rosemary Mallmann for alleged injuries when she fell and sprained her ankle at the intersection on Carmen Ave. where there was construction; recommends that the claim be denied and to request that the City Attorney send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 208.pdf

2.18 An R. C. by Finance to whom was referred R. O. No. 210-15-16 by the City Clerk submitting a claim from Douglas Leppanen for alleged injuries when he was cycling westbound on the bike path under the 14th St. Bridge and got caught up in construction netting; recommends that the claim be denied and to request that the City Attorney send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 210.pdf

2.19 An R. C. by Finance to whom was referred R. O. No. 255-15-16 (Direct Referral) by the City Clerk submitting a claim from Michael and Terri Barber for alleged damages to their mailbox when a snow plow driver hit it while plowing; recommends that the claim be denied and to request that the City Attorney send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 255.pdf

2.20 An R. C. by Finance to whom was referred R. O. No. 247-15-16 by the City Clerk submitting a claim from Richard Woodard for alleged damages to his mailbox when a snow plow driver hit it while plowing; recommends that the claim be denied and to request that the City Attorney send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 247.pdf

2.21 An R. C. by Finance to whom was referred R. O. No. 246-15-16 by the City Clerk submitting a claim from Angela Ramey for alleged damages to her basement when the sewer backed up; recommends that the claim be denied and to request that the City Attorney send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 246.pdf

2.22 An R. C. by Finance to whom was referred R. C. No. 340-14-15 by Finance, R. O. No. 257-13-14 by the City Clerk, R. C. No. 341-14-15 by Finance and R. O. No. 302-13-14 by the City Clerk submitting a Notice of Injury and Claim for Damages regarding James Kuester, Sr. for alleged injuries while being a passenger on a City bus; recommends that the documents be placed on file. ACCEPT AND ADOPT

ATTACHMENT: RC 340.pdf

2.23 An R. C. by Public Works to whom was referred R. O. No. 235-15-16 by the City Clerk submitting a communication from the President of Mid-Lake Softball Organization, wishing to present to the Public Works Committee a plan/proposal for new scoreboards; recommends approving Mid-Lake to proceed in discussions and pricing and report back to the Public Works Committee before installation, adding that there should be minimal costs to the Public Works Dept. ACCEPT AND ADOPT

2.24 An R. C. by Public Works to whom was referred R. O. No. 239-15-16 by the City Clerk submitting a communication from Jeff Radtke stating he is upset with the clearing of the streets after the Dec. 28th snow storm; recommends that the document be placed on file. ACCEPT AND ADOPT

ATTACHMENT: RO 239.pdf

2.25 An R. C. by Public Protection and Safety to whom was referred R. O. No. 249-15-16 by the Chief of Police submitting his quarterly report for activities of the department for the period commencing 10/1/15 and ending 12/31/15; recommends that the document be accepted and placed on file. ACCEPT AND ADOPT

ATTACHMENT: RO 249.pdf

2.26 An R. C. by Public Protection and Safety to whom was referred R. O. No. 252-15-16 by the Police Chief informing the Council that the Police Dept. will temporarily remove the winter parking restrictions on the east side of S. 24th St. between Union Ave. and Elm Ave. from 5 a.m. to 6 a.m. through the end of the winter parking seasons on April 1, 2016. ACCEPT AND ADOPT

ATTACHMENT: RO 252.pdf

2.27 An R. C. by Public Protection and Safety to whom was referred R. O. No. 253-15-16 and Res. No. 131-15-16 by Ald. Thiel authorizing entering into contract for the purchase of one (1) Police Dept. Compact Pickup Truck for Parking Compliance Patrol and Monitoring; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RO 253.pdf

2.28 An R. C. by Public Protection and Safety to whom was referred Gen. Ord. No. 44-15-16 by Ald. Thiel creating a no parking zone on the north side of Broadway Ave. west of N. 12th St.; recommends that the Ordinance be passed. ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: GO 44.pdf

2.29 An R. C. by the Sustainable Task Force recommending that the Common Council adopt the Green Tier Annual Report for 2015. ACCEPT AND ADOPT

ATTACHMENT: GREEN TIER.pdf

ATTACHMENT: GREEN TIER ANNUAL REPORT 2015.pdf

3. REPORTS OF OFFICERS

3.1 An R. O. by the Purchasing Agent submitting bids for the purchase of (168) Gardco Direct replacement LED upgrade kits for the Philips Gardco fixtures located on Kohler Memorial Dr. between N. 14th St. and Taylor Dr. SUSPEND AND ACCEPT AND FILE

ATTACHMENT: RO - BID 1903-16.pdf

3.2 An R. O. by the City Clerk submitting a communication from Kris and Andy Angermeier requesting that they be refunded the overpayment of Personal Property Taxes on equipment at their business (K&A Enterprises/Hawaiian Tan). FINANCE

ATTACHMENT: RO ANGERMEIER.pdf

3.3 An R. O. by the Bd. of Water Commissioners requesting the Common Council authorize and set a sale date for Water Utility revenue refunding bonds that will be used to pay off and refund the 2005 Water Revenue Bonds. FINANCE

ATTACHMENT: Water Utility bonds.pdf

3.4 An R. O. by the Bd. of Water Commissioners requesting permission to use one of the City's free Blue Harbor conference center days in October of 2016 in order to host a quarterly meeting of the West Shore Water Producers Group. FINANCE

ATTACHMENT: RO PERMISSION BLUE HARBOR.pdf

3.5 An R. O. by the City Clerk submitting a communication from Roger Lahm regarding his concerns with the poorly marked circle at 6th and Superior Ave. and is requesting that reflectors be placed on the pole and circle. PUBLIC WORKS

ATTACHMENT: ROGER LAHM LETTER.pdf

3.6 An R. O. by the City Clerk submitting a claim from Kristen and Andrew Angermeier for overpayment of personal property tax bill for 2014 (Hawaiian Tan). FINANCE

ATTACHMENT: ANGERMEIER 2014.pdf

3.7 An R. O. by the City Clerk submitting a claim from Kristen and Andrew Angermeier for overpayment of personal property tax bill for 2015 (Hawaiian Tan). FINANCE

ATTACHMENT: ANGERMEIER 2015.pdf

3.8 An R. O. by the City Clerk submitting a claim from Tanner Hawkins for alleged damages to his truck when the garbage truck hit the side and front corner of his truck. FINANCE

ATTACHMENT: HAWKINS.pdf

3.9 An R. O. by the City Clerk submitting a communication from the Wis. DNR re: Distribution of Documents for the Public Comment Period of the Kohler Co., Twin Oaks Landfill Proposed Vertical Expansion Feasibility Report in the Village of Kohler. PUBLIC WORKS

ATTACHMENT: DNR LETTER.pdf

3.10 An R. O. by the City Clerk submitting a communication from Brian Johnston requesting a waiver from the Sex Offender Residency restrictions in order to live at 1230 N. 14th St. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: JOHNSTON.pdf

3.11 An R. O. by the City Clerk submitting a communication from Ernest Ramirez requesting a waiver from the Sex Offender Residency restrictions in order to live at 1711 Superior Ave. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: RAMIREZ.pdf

4. RESOLUTIONS

4.1 A Res. by Ald. Belanger authorizing advertising for bids for the King Park and Deland Park Beach Restoration Project. SUSPEND AND PASS RESOLUTION

ATTACHMENT: RES KING PARK.pdf

4.2 A Resolution by Ald. Hammond authorizing entering into contract with Spectrum Lighting Ltd. of Waukesha for purchase of (168) Phillips Gardco LED upgrade kits for street lighting on Kohler Memorial Dr. between North 14th St. and Taylor Dr. to improve energy efficiency. SUSPEND AND PASS RESOLUTION

ATTACHMENT: SPECTRUM LIGHTING.pdf

4.3 A Resolution by Ald. Heidemann, Kath and Bohren approving the amended Grievance Procedure HR130 for City employees. PASS RESOLUTION

ATTACHMENT: HR130.pdf

4.4 A Resolution by Ald. Hammond providing for the Sale of Approximately \$2,125,000 Water Utility Revenue Refunding Bonds, Series 2016. FINANCE

ATTACHMENT: 2,125,000.pdf

4.5 A Resolution by Ald. Hammond authorizing a refund of the 2015 personal property assessment for Tax Parcel 59281865365. FINANCE

ATTACHMENT: RES - PERSONAL PROPERTY.pdf

4.6 A Resolution by Ald. Hammond authorizing a transfer of appropriations in the 2016 Budget (establish revenue and appropriation for a State Energy Program-Planning and Implementing Clean Energy Investments in Wis. Communities grant from the PSC of Wis.). FINANCE

ATTACHMENT: TRANSFER.pdf

4.7 A Res. by Ald. Thiel authorizing application for 2016 COPS Office Anti-Heroin Task Force Program Grant Solicitation. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: RES GRANT APPLICATION.pdf

4.8 A Res. by Ald. Belanger authorizing advertising for bids for the resurfacing of N. 6th St. (Niagara Ave. to Superior Ave.), S. 17th St. (Maryland Ave. to Union Ave.), and Saemann Ave. (N. 21st St. to Calumet Dr.).

PUBLIC WORKS

ATTACHMENT: RES RESURFACING.pdf

4.9 A Resolution by Ald. Belanger authorizing executing a Naming Rights Agreement regarding the three softball fields located at Wildwood Softball Complex. PUBLIC WORKS

ATTACHMENT: NAMING RIGHTS.pdf

5. REPORTS OF COMMITTEES

5.1 An R. C. by Finance to whom was referred R. O. No. 179-15-16 by the City Clerk submitting a claim from Sam Walker of Sonlight Books for alleged damages to his property caused by water from the green space north of the building; recommends denying the claim and to request that the City Attorney send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 179.pdf

5.2 An R. C. by Finance to whom was referred Res. No. 130-15-16 by Ald. Hammond authorizing a transfer of appropriations in the 2016 Budget (establish estimated revenue and appropriation for 2016 Wis. Justice System Improvement, Beat Patrol Grant Solicitation); recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 130.pdf

5.3 An R. C. by Law and Licensing to whom was referred R. O. No. 232-15-16 by the City Clerk submitting various license applications; recommends that Beverage Operator's License #0977 be denied based upon 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

ATTACHMENT: RO 232.pdf

6. ORDINANCE

6.1 An Ordinance by Ald. Thiel repealing and recreating portions of the Municipal Code relating to water main extensions. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: GO water main extensions.pdf

6.2 An Ordinance by Ald. Thiel amending various sections Division 4 (Sewer and Water Services) of the plumbing code of the City of Sheboygan contained in the Municipal Code. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: GO PLUMBING CODE.pdf

7. MATTERS LAID OVER

7.1 Gen. Ord. No. 43-15-16 by Ald. Donohue, Heidemann, Bohren, Hammond and Kath amending the supplement to the Municipal Code so as to change the Job Description for the position of Chief Administrative Officer in the Administrative Dept. for the City of Sheboygan. PASS ORDINANCE

ATTACHMENT: GO 43-15-16.pdf

8. OTHER MATTERS RECEIVED AFTER THE AGENDA WAS PUBLISHED

8.1 An R. O. by the City Clerk submitting a claim from Nsightlel Wireless LLC for personal property taxes that were paid in error. FINANCE

ATTACHMENT: Nightlel Wireless.pdf

8.2 A Resolution by Ald. Hammond regarding Midwester Disaster Area Revenue Refunding Bond Financing for Just Kids Dental, S. C. Project. FINANCE

ATTACHMENT: MIDWESTERN DISASTER AREA.pdf

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

ATTACHMENT: REFERRED RO.pdf

9. CONVENE IN CLOSED SESSION

9.1 MOTION TO CONVENE IN CLOSED SESSION under the exemption provided in Sec. 19.85(1)(g) of the Wis. Stats. for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is involved; to wit, Hermann v. City of Sheboygan; Sheboygan County Case No. 2014-CV-000754.

10. RECONVENE IN OPEN SESSION

10.1 Discussion and possible action on item discussed in closed session.

11. ADJOURN

11.1 Motion to 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