

ELEVENTH REGULAR COMMON COUNCIL MEETING AGENDA - 6:00 PM

"HAPPINESS IS NOT THE ABSENCE OF PROBLEMS, IT'S THE ABILITY TO DEAL WITH THEM."

Notice of the 11th meeting of the 2015-2016 Common Council at 6:00 p.m., TUESDAY, September 8, 2015, 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 PLEDGE OF ALLEGIANCE

1.3 APPROVAL OF MINUTES

1.4 RESIGNATIONS - Pamela Channel - BID Board

ATTACHMENT: Resign - Pamela.pdf

1.5 MAYOR'S APPOINTMENTS - Roman Draughon - Mayor's International Committee & Sustainable Sheboygan Task Force. Jennifer Conrardy - Sustainable Sheboygan Task Force. Rick Scroggins - Harbor Centre BID Board. LIES OVER.

ATTACHMENT: APPT - RICK SCROGGINS TO BID BOARD.pdf

ATTACHMENT: APPT - Conrardy.pdf

ATTACHMENT: APPT - Roman Draughon.pdf

1.6 PRESENTATION - NATIONAL MARINE SANCTUARY - Chad Pelishek

1.7 PUBLIC FORUM

1.8 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, ORDINANCES AND SUBSTITUTE ORDINANCES.

2.2 An R. O. by the Bd. of Contractors Examiners submitting application for Building Contractor License already granted. ACCEPT AND FILE

ATTACHMENT: Granted Bldg. Contractor.pdf

2.3 An R. O. by the City Clerk submitting licenses which have already been issued. ACCEPT AND FILE

ATTACHMENT: RO ISSUED LICENSE.pdf

2.4 An R. O. by the City Clerk submitting a communication, as a matter of

record, from the State of Wis. Dept. of Natural Resources regarding the water main extension approval they have given on North Ave. ACCEPT AND FILE

ATTACHMENT: RO DNR.pdf

2.5 An R. O. by the City Clerk granting various license applications. ACCEPT AND FILE

ATTACHMENT: GRANT LICENSES.pdf

2.6 An R. O. by the City Clerk submitting an application for a private well permit for Dennis Beske. ACCEPT AND FILE

ATTACHMENT: Well - Beske.pdf

2.7 An R. O. by the Fire Chief submitting his quarterly report for the period commencing April 1, 2015, and ending June 30, 2015. ACCEPT AND FILE

ATTACHMENT: FIRE CHIEF.pdf

2.8 An R. O. by City Plan Commission to whom was referred R. O. No. 105-15-16 by City Clerk submitting a copy of the Notice of Intent to Circulate Petition for Annexation of Territory to the City of Sheboygan; recommends approval of the RO. ACCEPT AND FILE.

ATTACHMENT: RO 105.pdf

2.9 An R. O. by the City Clerk submitting a communication from the Wisconsin Dept. of Admin. regarding the City of Sheboygan Annexation (former Butzen property); states that the proposed annexation has been reviewed and found to be in the public interest.

ATTACHMENT: RO - Butzen.pdf

2.10 An R. O. by the City Clerk submitting a communication from the Wisconsin Dept. of Admin. regarding the Wagner Excavating Properties LLC Annexation. ACCEPT AND FILE

ATTACHMENT: Wagner Annexation - letter from DOA.pdf

2.11 An R. O. by City Attorney submitting, as a matter of record, the following original Easements (mini-storm sewer), executed in accordance with Res. Nos. 36-15-16 and 38-15-16, which have been recorded in the Sheboygan County Register of Deeds Office. ACCEPT AND FILE.

ATTACHMENT: 2 easements.pdf

2.12 An R. O. by City Plan Commission to whom was referred Gen. Ord. No. 16-15-16 by Ald. Hammond and Lessard and R.O. No. 103-15-16 by City Clerk submitting a petition for direct annexation by one-half vote approval pursuant to Sect. 66.0217(3)(a), Wisconsin Statutes (former Butzen property); recommends approval of the General Ordinance and R.O. ACCEPT AND ADOPT.

ATTACHMENT: GO 16.pdf

2.13 A Resolution by Ald. Hammond and Lessard directing a public hearing to establish a Use District Classification for property located north of Weeden Creek Rd. and west of I-43. PASS RESOLUTION

ATTACHMENT: ZONE WEEDEN CREEK RD.pdf

2.14 A Resolution by Ald. Hammond and Lessard directing a public hearing to establish Use District Classifications for annexed lands located west of S. Business Dr. PASS RESOLUTION

ATTACHMENT: ESTABLISH ZONE 5 PARCELS.pdf

2.15 An R. O. by City Plan Commission to whom was referred Gen. Ord. No. 15-15-16 by Ald. Hammond and Lessard and R. O. No. 102-15-16 by City Clerk requesting an encroachment into the right-of-way at 2660 White Fox Dr. for the purpose of maintaining a garden box; recommends denial of the General Ordinance and R.O. ACCEPT AND ADOPT.

ATTACHMENT: GO 15-15-16.pdf

2.16 An R. C. by Finance to whom was referred R. O. No. 107-15-16 by the Dir. of Planning & Development of the 2016 City of Sheboygan Tourism budget request from the Sheboygan County Chamber of Commerce for Room Tax Profit and Loss; recommends filing the document. ACCEPT AND ADOPT

ATTACHMENT: RO 107.pdf

2.17 An R. C. by Public Works to whom was referred R. O. No. 111-15-16 by the City Clerk submitting a communication by Catherine Schnur regarding water issues on 710 Broadway. ACCEPT AND ADOPT.

ATTACHMENT: RO 111.pdf

2.18 An R. C. by Law and Licensing to whom was referred, pursuant to R. O. No. 108-15-16 by the City Clerk, license applications for the period ending December 31, 2015 and June 30, 2017; recommends that the following licenses be granted with various caveats. ACCEPT AND ADOPT.

ATTACHMENT: RO 108.pdf

2.19 An R. C. by Law and Licensing to whom was referred, pursuant to R. O. No. 93-15-16 by the City Clerk, license applications for the period ending December 31, 2015 and June 30, 2017; recommends that the licenses be granted with various caveats. ACCEPT AND ADOPT.

ATTACHMENT: RO 93.pdf

2.20 An R. C. by Law and Licensing to whom was referred R. O. No. 79-15-16 by the City Clerk, license applications for the period ending December 31, 2015 and June 30, 2017; recommends that the following license be granted contingent upon the application being corrected, and with a warning to include all violations on future applications. ACCEPT AND ADOPT.

ATTACHMENT: RO 79 - McAtee.pdf

2.21 An R. C. by Public Protection and Safety to whom was referred Res. No. 65-15-16 by Ald. Carlson authorizing executing the Lease Agreement on behalf of the Sheboygan Police Department as lead agency for the Sheboygan County MEG Unit with Sheboygan County for administrative space; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: Res 65.pdf

2.22 An R. C. by Public Works to whom was referred Res. No. 66-15-16 by Ald. Belanger authorizing entering into a revised State/Municipal Agreement for design and construction for the 14th St. Sheboygan River Bridge project; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 66.pdf

2.23 An R. O. by Transit Commission who met and discussed Res. No. 67-15-16 by Ald. Carlson authorizing the filing of an application with the USA Dept. of Transportation and authorizing executing of the contract pertaining to grants for 2016; recommends that the Resolution be passed. ACCEPT AND FILE AND PASS RESOLUTION

ATTACHMENT: RES 67.pdf

2.24 An R. C. by Public Protection and Safety who met and discussed a communication from Trina Peeters of Miller, Weele, Heiser & Co., LTD, requesting that the City abate the penalty and interest due to unusual circumstances surrounding their late room tax payment; recommends that the request be denied. ACCEPT AND ADOPT.

ATTACHMENT: Trina Peeters.pdf

3. COMMUNICATIONS

3.1 A Communication submitted by Ald. Bitters from Robert Theis regarding his concerns about the condition of Franklin Park. PUBLIC WORKS

ATTACHMENT: Theis - Franklin Park.pdf

3.2 A Communication submitted by Ald. Carlson from Patrick and Melissa Bryne regarding making the alley along the southside of Cole Park a no-through zone. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: PATRICK BRYNE.pdf

4. REPORTS OF OFFICERS

4.1 An R. O. by City Plan Commission to whom was referred R. O. No. 106-15-16 by City Clerk submitting a communication from Mau & Associates requesting a vacation of a 15' water main easement on a piece of property on Bollman Dr.; recommends approval of the R.O. FILE

ATTACHMENT: RO 106.pdf

4.2 An R. O. by the City Clerk submitting a communication from the State of Wisconsin Dept. of Natural Resources regarding a Notice of Proposed Solid Waste Disposal Facility Proposed Twin Oaks (Kohler Co.) Landfill Expansion. CITY PLAN COMMISSION

ATTACHMENT: Twin Oaks.pdf

4.3 An R. O. by the City Clerk submitting a communication from HSA Bank; Division of Webster Bank, requesting an encroachment permitting a new monument sign to be located in the City of Sheboygan N. 7th St. right-of-way. CITY PLAN COMMISSION

ATTACHMENT: RO MERRITT.pdf

4.4 An R. O. by the City Clerk submitting a communication from the Gateway Board requesting to expand the Gateway Neighborhood Service Area. MAYOR'S

NEIGHBORHOOD LEADERSHIP CABINET

ATTACHMENT: GATEWAY.pdf

4.5 An R. O. by the City Clerk submitting a communication from Steve Tyrone Hamilton Sr. requesting a waiver from the Sex Offender Residency restrictions in order to live at 1029 N. 26th St. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: HAMILTON.pdf

4.6 An R. O. by the City Clerk submitting a communication from Albert Webster requesting a waiver from the Sex Offender Residency restrictions in order to live at 2203 N. 10th St. PUBLIC PROTECTION AND SAFETY.

ATTACHMENT: Webster.pdf

4.7 An R. O. by the City Clerk submitting a communication from State of Wisconsin Department of Corrections on behalf of State inmate Jason Martin requesting a waiver from the Sex Offender Residency restrictions in order to live at 930A Michigan Ave. or 1123/1125 N. 14th St. PUBLIC PROTECTION AND SAFETY.

ATTACHMENT: Martin.pdf

4.8 An R. O. by the City Clerk submitting a communication from Jesus Ruiz (Dept. of Corrections on his behalf) requesting a waiver to the Sex Offender Residency restrictions in order to live at 930A Michigan Ave. or 1123/1125 N. 14th St. depending on availability. PUBLIC PROTECTION AND SAFETY.

ATTACHMENT: Ruiz.pdf

4.9 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 1531 Michigan Ave. PUBLIC PROTECTION AND SAFETY.

ATTACHMENT: Borland.pdf

4.10 An R. O. by the Director of Planning and Development submitting a request from Chad Pelishek, Director of Planning and Development, of Reciprocal Easement Agreement between the U.S. Bank National Association and the City of Sheboygan. CITY PLAN COMMISSION.

ATTACHMENT: Reciprocal Easement.pdf

4.11 An R. O. by the City Clerk submitting a Petition, Notice, and List of Tax Liens of Sheboygan being foreclosed in the matter of the Foreclosure of Tax Liens under Wis. Stats. 75.521 by Sheboygan County, list of Tax Liens for 2008, 2009, 2010, and 2011. FINANCE.

ATTACHMENT: Tax Liens.pdf

4.12 An R. O. by the City Clerk submitting a communication from Charles Burke requesting that signs be placed to notify the public to slow down from both directions near his home as he is visually impaired. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: RO - Burke.pdf

5. RESOLUTIONS

5.1 A Resolution by Ald. Hammond authorizing entering into agreement with

SmithGroup JJR for a wave surge mitigation study for the Harbor Centre Marina. FINANCE.

ATTACHMENT: Res - wave surge study.pdf

5.2 A Resolution by Ald. Thiel approving the Capital Improvements Program recommended by the Capital Improvements Commission, for the program period of 2016 and adopting the program for implementation. CITY PLAN COMMISSION

ATTACHMENT: RES CAP IMPROVEMENTS.pdf

5.3 A Resolution by Ald. Hammond, Carlson, Donohue and Kath authorizing a transfer of appropriations in the 2015 Budget (establish appropriation for debt issued refinanced; revenue and appropriation for City portion of State of Wis. Dept. of Admin. Wisconsin Coastal Management Program for Wave Attenuation Study at the Marina; appropriation for payment of settlement in the matter of JFM1 vs City of Sheboygan and revenue and appropriation for damage fees received). LIES OVER

ATTACHMENT: Large Transfer.pdf

5.4 A Resolution by Ald. Hammond authorizing the Purchasing Agent to request proposals to outsource the Assessor's office duties and functions. FINANCE

ATTACHMENT: Request proposals.pdf

5.5 A Resolution by Ald. Hammond authorizing a transfer of appropriations in the 2015 Budget (establish revenue and appropriation for Police State Training Aids). FINANCE

ATTACHMENT: PD Transfer.pdf

5.6 A Resolution by Ald. Belanger approving a project plan for a tax incremental district, describing the boundaries thereof and creating Tax Incremental District No. 16, City of Sheboygan, Wisconsin. FINANCE

ATTACHMENT: TID #16.pdf

5.7 A Resolution by Ald. Carlson establishing an Emergency Planning and Preparedness Committee to develop a City Emergency Response Plan and coordinate emergency management activities for the City of Sheboygan. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: EMERGENCY PLAN COMMITTEE.pdf

6. REPORTS OF COMMITTEES

6.1 An R. C. by Law and Licensing to whom was referred, pursuant to R. O. No. 79-15-16 by the City Clerk, license applications for the period ending December 31, 2015 and June 30, 2017; recommends that Beverage Operator's License application #7782 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.

ATTACHMENT: RO 79 deny #7782.pdf

6.2 An R. C. by Finance to whom was referred Gen. Ord. No. 17-15-16 by Ald. Thiel amending the Municipal Code, relating to the city motor vehicle registration fee; recommends referral of the document to the Committee of the Whole with no recommendation. COMMITTEE OF THE WHOLE

ATTACHMENT: GO 17-15-16.pdf

6.3 An R. C. by Finance to whom was referred R. C. No. 113-15-16 by Strategic Fiscal Planning to whom was referred R. O. No. 72-15-16 by the Chief Administrative Officer submitting the summary of the 2016 Budget Requests for the General Fund, the Special Revenue Funds, the Debt Service Funds and the Capital Projects Funds. FINANCE

ATTACHMENT: RC 113 - Strategic.pdf

6.4 An R. C. by Finance to whom was referred R. C. No. 114-15-16 by Strategic Fiscal Planning to whom was referred R. O. No. 73-15-16 by the Chief Administrative Officer submitting the summary of the 2016 Budget Requests for the Enterprise Funds, the Internal Service Funds, and the Trust Funds. FINANCE

ATTACHMENT: RC 114- Strategic.pdf

6.5 An R. C. by Public Protection and Safety to whom was referred a copy of R. C. No. 113-15-16 by Strategic Fiscal Planning to whom was referred R. O. No. 72-15-16 by the Chief Administrative Officer submitting the attached summary of the 2016 Budget Requests for the General Fund, the Special Revenue Funds, the Debt Service Funds and the Capital Projects Funds. FINANCE

ATTACHMENT: RC 113 - PP & S.pdf

6.6 An R. C. by Public Protection and Safety to whom was referred a copy of R. C. No. 114-15-16 by Strategic Fiscal Planning to whom was referred R. O. No. 73-15-16 by the Chief Administrative Officer submitting the summary of the 2016 Budget Requests for the Enterprise Funds, the Internal Service Funds, and the Trust Funds. FINANCE

ATTACHMENT: RC 114 - PP & S.pdf

7. ORDINANCES

7.1 An Ordinance by Ald. Carlson repealing and recreating various sections of the City of Sheboygan Municipal Code so as to clarify licensing regulations related to weights and measures. PUBLIC PROTECTION AND SAFETY.

ATTACHMENT: ORD - weights-measures.pdf

7.2 An Ordinance by Ald. Belanger amending various sections of the City's Industrial Pretreatment Program so as to incorporate certain changes to Wis. Admin. Code NR 211 relating to general pretreatment requirements. PUBLIC WORKS

ATTACHMENT: GO - Pretreatment Prog..pdf

7.3 An Ordinance by Ald. Belanger amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to establish the Use District Classification of recently annexed property located north of Weeden Creek Road and west of I-43. CITY PLAN COMMISSION.

ATTACHMENT: GO - 12.54 acres.pdf

7.4 An Ordinance by Ald. Belanger amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to establish the Use District Classification of recently annexed property located west of S. Business Drive. CITY PLAN COMMISSION.

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7.8 An Ordinance by Ald. Belanger amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to establish the Use District Classification of recently annexed property located west of S. Business Drive. CITY PLAN COMMISSION.

7.9 An Ordinance by Ald. Donohue and Hou-Seye granting HSA Bank; Division of Webster Bank, the privilege of encroaching on portion of City of Sheboygan right-of-way located in the east/west alley of 605 N. 8th St. for the purpose of installing and maintaining a sign. CITY PLAN COMMISSION

ATTACHMENT: HSA ENCROACHMENT GO.pdf

8. MATTERS LAID OVER

8.1 R. O. No. 104-15-16 by the City Clerk submitting an amended petition for direct annexation by unanimous approval pursuant to Section 66.0217(2), Wisconsin Statutes (Wagner Excavating). ACCEPT AND FILE.

ATTACHMENT: RO 104-15-16.pdf

8.2 R. O. No. 101-15-16 by the City Plan Commission to whom was referred Gen. Ord. No. 11-15-16, R. O. No. 76-15-16 and R. O. No. 92-15-16 being a petition for direct annexation of the Wagner Excavating Properties LLC. ACCEPT AND FILE AND PASS SUBSTITUTE ORDINANCE

ATTACHMENT: RO 101.pdf

8.3 Res. No. 64-15-16 by Ald. Donohue, Bohren, Hammond, Kath and Heidemann adopting certain changes to the City's Medical Benefit Plan and Dental Benefit Plan effective for calendar year 2016 coverage and establishing the monthly premium equivalent rates effective for January 2016 coverage and thereafter. PASS THE RESOLUTION.

ATTACHMENT: RES 64-15-16.pdf

9. OTHER MATTERS RECEIVED AFTER AGENDA WAS PUBLISHED

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

ATTACHMENT: GRANTED RO.pdf

9.2 An R. O. by the City Clerk submitting a request from Brian K. Johnston for a waiver from the Sex Offender Residency restrictions in order to be placed at 930A Michigan or 1123/1125 N. 14th St. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: JOHNSTON.pdf

9.3 An R. O. by the City Clerk submitting a communication from Alex Kaufman requesting a waiver from the Sex Offender Residency restrictions in order to live at 1734 N. 11th St. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: KAUFMAN.pdf

10. CLOSED SESSION

10.1 Motion to convene in closed session under the exemption contained in Sec. 19.85(1)(e), 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 former Schuchardt property and the former Boston Store property.

11. RECONVENE IN OPEN SESSION

11.1 Possible action on item(s) discussed in closed session.

12. ADJOURN

12.1 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