

NINTH REGULAR COMMON COUNCIL MEETING AGENDA - 6:00 PM

"When the day is over, LET IT GO. Don't dwell on what should have or could have happened. Tomorrow is another day and another chance."

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Notice of the 9th meeting of the 2015-2016 Common Council at 6:00 p.m., MONDAY, August 3, 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 - Shauna Nischik - Building Use Committee.

ATTACHMENT: Resignation - Nischik.pdf

1.5 APPOINTMENTS - Scott Gruenke and Jake Toman to Business Improvement District and Michael Langan to Building Use Committee.

ATTACHMENT: Appt - Gruenke.pdf

ATTACHMENT: Toman - Appointment.pdf

ATTACHMENT: APPT - BUILDING USE.pdf

1.6 ELECTION OF ALDERPERSON FOR DISTRICT #2

ATTACHMENT: Roman Draughon.pdf

1.7 PUBLIC FORUM

1.8 2016 BUDGET PRESENTATION - ALDERPERSON HAMMOND

1.9 MAYOR'S ANNOUNCEMENTS

**2. HEARING**

2.1 A Hearing pursuant to a notice published and personal notices sent by the City Clerk, there is a hearing scheduled for this evening to amend the text of the City of Sheboygan Official Zoning Ordinance relating to the supermajority requirement for amendment to zoning regulations and the official zoning ordinance.

ATTACHMENT: HEARING.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 Chief Administrative Officer submitting the Annual Financial Report of the City of Sheboygan for the year ended December 31, 2014, prepared by Schenck SC. ACCEPT AND FILE.

ATTACHMENT: annual Schenck report.pdf

ATTACHMENT: 2014 ANNUAL AUDIT CITY OF SHEBOYGAN.pdf

3.3 An R. C. by Finance to whom was referred R. O. No. 37-15-16 by the City Clerk submitting a claim from Terry Weimann for alleged injuries when she slipped and fell on ice and snow in the Mead Public Library parking lot; recommends denying the claim and directing City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT.

ATTACHMENT: RO 37.pdf

ATTACHMENT: RC 343-14-15.pdf

3.4 An R. C. by Finance to whom was referred R. O. No. 38-15-16 by the City Clerk submitting a claim from Nathaniel Adamson for alleged damages to his vehicle when a riding mower kicked something out of the back of the mower and shattered his back window; recommends paying claim in the amount of \$284.17. ACCEPT AND ADOPT.

ATTACHMENT: RO 38.pdf

3.5 An R. C. by Finance to whom was referred R. O. No. 45-15-16 by the City Clerk submitting a claim from State Farm Insurance on behalf of their insured James Pingel for alleged damages to his vehicle when a snowplow struck the vehicle. ACCEPT AND ADOPT.

ATTACHMENT: RO 45.pdf

3.6 An R. C. by Finance to whom was referred R. O. No. 50-15-16 by the City Clerk submitting a claim from Judy Baldock for alleged damages to her vehicle when an ambulance gurney rolled into her car at Memorial Hospital; recommends that the claim be paid in the amount of \$746.63. ACCEPT AND ADOPT.

ATTACHMENT: RO 50.pdf

3.7 An R. C. by Finance to whom was referred R. O. No. 51-15-16 by the City Clerk submitting a claim from Robert Kuehl for alleged damages when he tripped outside of the HC Denison building on alley near US Bank parking lot and broke his Iphone glass and ruined his pants; recommends denying the claim and directing the City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT.

ATTACHMENT: RO 51.pdf

3.8 An R. C. by Finance to whom was referred R. O. No. 52-15-16 by the City Clerk submitting a claim from Ashliegh Grosshuesch for alleged damages when a tree across the street from her home fell on her truck; recommends denying claim and directing the City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT.

ATTACHMENT: RO 52.pdf

3.9 An R. C. by Finance to whom was referred R. O. No. 62-15-16 by the City

Clerk submitting a claim from Ashton Thomaston for alleged damages to his rear tire stating that it was stabbed and went flat; recommends denying claim and directing the City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT.

ATTACHMENT: RO 62.pdf

3.10 An R. C. by Law and Licensing to whom was referred, pursuant to R. O. No. 65-15-16 by the City Clerk submitting license applications; recommends that the licenses be granted (Pups). ACCEPT AND ADOPT.

ATTACHMENT: ro 65-Pups.pdf

3.11 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, 2016 and June 30, 2017; recommends licenses be granted with various caveats (8th St. Ale Haus). ACCEPT AND ADOPT.

ATTACHMENT: RO 79 - 8th St.pdf

3.12 An R. C. by Public Works to whom was referred R. O. No. 86-15-16 by the City Clerk submitting a communication from Greg and Karen Scheib regarding flooding issues in their neighborhood; recommends filing the document. ACCEPT AND ADOPT.

ATTACHMENT: RO 86.pdf

3.13 An R. C. by Public Works to whom was referred R. O. No. 87-15-16 by the City Clerk submitting a communication from Jake Lamers regarding flooding issues in his neighborhood; recommends filing the document. ACCEPT AND ADOPT.

ATTACHMENT: RO 87.pdf

3.14 An R. C. by Public Works to whom was referred R. O. No. 85-15-16 by the City Clerk submitting a communication from Habitat for Humanity requesting permission to hold their annual, overnight event called Shantytown on September 12, 2015 in Fountain Park; recommends that the request be approved. ACCEPT AND ADOPT.

ATTACHMENT: RO 85.pdf

3.15 An R. C. by Strategic Fiscal Planning to whom was referred Res. No. 40-15-16 by Ald. Heidemann encouraging all standing committee chairs to schedule their committee meetings on Mondays; recommends that the document be filed. ACCEPT AND ADOPT.

ATTACHMENT: Res 40.pdf

3.16 An R. C. by Finance to whom was referred Res. No. 58-15-16 by Ald. Hammond authorizing executing the Fiber Optic Network Intergovernmental Cooperative Agreement between the City of Sheboygan, Sheboygan County, and the Sheboygan Area School District. ACCEPT AND ADOPT AND PASS RESOLUTION.

ATTACHMENT: Res 58.pdf

3.17 An R. C. by Finance to whom was referred R. O. No. 77-15-16 by the City Clerk submitting a communication from Frank Reif requesting that his claim be reconsidered (alleged damage to his vehicle when a temporary stop sign was out too far in the road); recommends that the request to reconsider the claim be filed. ACCEPT AND ADOPT.

ATTACHMENT: RO 77.pdf

3.18 An R. C. by Law and Licensing to whom was referred R. O. No. 66-15-16 by the City Clerk, license applications for the period ending June 30, 2017; recommends that the license be granted (Wagner). ACCEPT AND ADOPT.

ATTACHMENT: RC wagner.pdf

3.19 An R. C. by Law and Licensing to whom was referred, pursuant to R. O. No. 39-15-16 by the City Clerk, license applications for the period ending December 31, 2016 and June 30, 2017; recommends that the license be granted with caveats (Horness). ACCEPT AND ADOPT.

ATTACHMENT: RC - Horness.pdf

3.20 An R. C. by Law and Licensing to whom was referred R. O. No. 54-15-16 by the City Clerk, submitting license applications for the period ending December 31, 2016 and June 30, 2017; recommends that the licenses be granted with caveats (Johnson). ACCEPT AND ADOPT.

ATTACHMENT: RC - Johnson.pdf

3.21 An R. O. by City Plan Commission to whom was referred Gen. Ord. No. 11-15-16 by Ald. Hammond and Lessard and R. O. No. 76-15-16 by City Clerk being a petition for direct annexation of the Wagner Excavating properties LLC by Gregg Wagner. ACCEPT AND FILE AND PASS THE ORDINANCE.

ATTACHMENT: GO 11.pdf

3.22 An R. C. by Strategic Fiscal Planning to whom was referred Res. No. 41-15-16 by Ald. Donohue establishing a State of Our Streets Task Force for the City of Sheboygan. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: rES 41.pdf

3.23 An R. O. by City Plan Commission to whom was referred Res. No. 48-15-16 by Ald. Belanger authorizing the appropriate City Officials to execute an Underground Electric Easement to Wisconsin Power and Light Company with regard to a former alley off South 9th Street. ACCEPT AND FILE AND PASS THE RESOLUTION.

ATTACHMENT: RES 48.pdf

3.24 An R. O. by the City Clerk granting various license applications (Dumper Dan's). ACCEPT AND FILE.

ATTACHMENT: GRANTED.pdf

3.25 An R. C. by Public Protection and Safety to whom was referred R. O. No. 80-15-16 by the Chief of Police submitting his quarterly report for activities in his departments for the period commencing April 1, 2015 and ending June 30, 2015. ACCEPT AND ADOPT.

ATTACHMENT: RO 80.pdf

3.26 An R. C. by Public Protection and Safety to whom was referred R. C. No. 87-15-16 by Public Works and R. O. No. 70-15-16 by the City Clerk submitting a communication from Mark Briese stating his concerns with traffic speed in his

neighborhood; recommends filing documents. ACCEPT AND ADOPT.

ATTACHMENT: RC 87.pdf

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

4.1 An R. O. by the Director of Planning and Development submitting a copy of the updated Bylaws of the Sheboygan Harbor Centre Business Improvement District adding an additional Board member. SUSPEND TO ACCEPT AND FILE

ATTACHMENT: RO updated bylaws.pdf

ATTACHMENT: ByLaws BID.pdf

4.2 An R. O. by the City Clerk submitting a communication from Tim Smith stating his concerns regarding the speeding occurring from Union Ave. to Erie Ave. on S. 14th St. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: Smith letter.pdf

4.3 An R. O. by City Clerk submitting a communication from Jessie Duplechain requesting a waiver from the Sex Offender Residency restrictions in order to live at 1434 Mehrtens Ave. PUBLIC PROTECTION AND SAFETY.

ATTACHMENT: Duplechain.pdf

4.4 An R. O. by City Clerk submitting a communication from James Canon requesting a waiver from the Sex Offender Residency restrictions in order to live at 713A Superior Ave. PUBLIC PROTECTION AND SAFETY.

ATTACHMENT: Canon.pdf

4.5 An R. O. by the City Clerk submitting a communication from Benjamin Heyman requesting a waiver from the Sex Offender Residency restrictions in order to live at 1907 S. 14th St. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: Heyman request.pdf

4.6 An R. O. by the City Clerk submitting a communication from the President of Sheboygan Leadership Academy Governing Board stating their concern with granting a waiver for a sex offender to be placed at 1123 N. 14th St. (TLP). PUBLIC PROTECTION AND SAFETY

ATTACHMENT: QUASIUS.pdf

#### **5. RESOLUTIONS**

5.1 A Resolution by Ald. Hammond authorizing a transfer of appropriations in the 2015 Budget (establish appropriation for purchase of Freightliner Tandem Axle Combination Sewer Jetter and Vacuum). FINANCE

ATTACHMENT: Transfer.pdf

5.2 A Resolution by Ald. Hou-Seye enacting a temporary speed enforcement zone from Indiana Avenue to Erie Avenue along North 14th Street. PUBLIC PROTECTION AND SAFETY.

ATTACHMENT: temp speed.pdf

5.3 A Resolution by Ald. Belanger informing the Wis. Dept. of Natural

Resources that the 2014 Compliance Maintenance Annual Report has been reviewed.  
PUBLIC WORKS

ATTACHMENT: CMAR.pdf

ATTACHMENT: CMAR REPORT.pdf

## **6. REPORTS OF COMMITTEES**

6.1 An R. C. by Finance to whom was referred Res. No. 57-15-16 by Ald. Hammond authorizing a transfer of appropriations in the 2015 Budget (establish appropriation for City portion of Fiber Optic Network Intergovernmental Cooperative Agreement). ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: Res 57.pdf

6.2 An R. C. by Law and Licensing to whom was referred, pursuant to R. O. No. 54-15-16 by the City Clerk, license applications for the period ending December 31, 2016 and June 30, 2017; recommends that Beverage Operator's License No. 0796 be denied based upon her failure to accurately reveal all relevant convictions on her license application, her record of violations related to the licensed activity, her record as a repeat law violator, and her failure to cooperate with the Committee. ACCEPT AND ADOPT.

ATTACHMENT: RC - #0796.pdf

6.3 An R. C. by Law and Licensing to whom was referred, pursuant to R. O. No. 54-15-16 by the City Clerk, license applications for the period ending December 31, 2016 and June 30, 2017; recommends that Beverage Operator's License No. 0808 be denied based upon her failure to accurately reveal all relevant convictions on her license application, her record of violations related to the licensed activity, her record as a repeat law violator, and her failure to cooperate with the Committee. ACCEPT AND ADOPT.

ATTACHMENT: RC - #0808.pdf

6.4 An R. C. by Finance to whom was referred Res. No. 55-15-16 by Ald. Belanger approving a project plan for a tax incremental district, describing the boundaries thereof and creating Tax Incremental District No.1 16. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: RES 55.pdf

6.5 An R. C. by Finance to whom was referred Res. No. 56-15-16 by Ald. Belanger approving a Territory Amendment #1 to the Project Plan of Tax Incremental Financing District No. 6. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: RES 56.pdf

6.6 An R. C. 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, LAW AND LICENSING, PUBLIC PROTECTION AND SAFETY, PUBLIC WORKS AND SALARIES AND GRIEVANCES.

ATTACHMENT: ro 72.pdf

6.7 An R. C. by Strategic Fiscal Planning to whom was referred R. O. No. 73-15-16 by the Chief Administrative Officer submitting the attached summary of

the 2016 Budget Requests for the Enterprise Funds, the Internal Service Funds, and the Trust Funds. FINANCE, LAW AND LICENSING, PUBLIC PROTECTION AND SAFETY, PUBLIC WORKS AND SALARIES AND GRIEVANCES.

ATTACHMENT: RO 73.pdf

## **7. ORDINANCES**

7.1 An Ordinance by Ald. Belanger amending various sections of Chapter 2 of the Municipal Code to provide for direct referral of communications, resolutions and ordinances to committees and eliminate the requirement of a second reading except where otherwise required by law. COMMITTEE OF THE WHOLE

ATTACHMENT: AMEND CHAPTER 2.pdf

7.2 An Ordinance by Ald. Hou-Seye repealing Gen. Ord. No. 9-15-16 regarding one-hour parking zone on east side of S. 8th St. north of Georgia Ave. PUBLIC PROTECTION AND SAFETY.

ATTACHMENT: GO 9.pdf

7.3 An Gen. Ord. by Ald. Donohue amending Section 82-33 of the Sheboygan Municipal Code so as to add various position(s) to the Department of Public Works Table of Organization. SALARIES AND GRIEVANCES.

ATTACHMENT: GO DPW TO.pdf

ATTACHMENT: NEW WWTP JOB DESC.pdf

## **8. MATTERS LAID OVER**

8.1 R. O. No. 61-15-16 by City Plan Commission to whom was referred Gen. Ord. No. 8-15-16 by Ald. Belanger amending Sections 15.902 and 15.903 of the City of Sheboygan Zoning Ordinance, relating to the supermajority requirement for amendment to zoning regulations and the official zoning map. ACCEPT AND FILE AND PASS THE ORDINANCE.

ATTACHMENT: RO 61.pdf

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

9.1 A Resolution by Ald. Hammond authorizing a transfer of appropriations in the 2015 Budget (estimated revenue and appropriation for 2015 Community Development Block Grant Entitlement Program). FINANCE

ATTACHMENT: RES CDBG.pdf

9.2 A Communication submitted by Ald. Bohren from Melissa Braesch regarding information on the sale of the Field of Dreams and money Sheboygan Area School District may owe the City of Sheboygan for the sale of Field of Dreams. FINANCE

ATTACHMENT: LETTER BRAESCH.pdf

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

ATTACHMENT: referred RO.pdf

## **10. CLOSED SESSION**

10.1 Motion to convene in closed session under the exemption contained in Sec. 19.85(1)(e), Wis. Stats. where competitive or bargaining reasons require a

closed session for purpose of deliberation related to a possible development on Riverfront Dr.

**11. ADJOURN**

11.1 Motion to adjourn

**12. NOTICE: A reminder that "Council College" will begin immediately following the Council meeting this evening. The topic is "Public Records".**

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