

MINUTES OF THE THIRD REGULAR COMMON COUNCIL MEETING - 6: 00 PM (Monday, May 4, 2015) Generated by Susan Richards on Tuesday, May 5, 2015 Members present Job Hou-Seye, Mike Damrow, Julie Kath, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel, David Van Akkeren, Jodi VanderWeele - 13 . Members excused Eldon Burg, Bryan Bitters, John Belanger - 3 . Meeting called to order at 6: 00 PM

1. OPENING OF MEETING

1.1 ROLL CALL

1.2 PLEDGE OF ALLEGIANCE

1.3 APPROVAL OF MINUTES MOTION TO APPROVE MINUTES Motion by Don Hammond, second by Darryl Carlson.

Final Resolution:

Motion Passes Aye: Job Hou-Seye, Mike Damrow, Julie Kath, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel, David Van Akkeren, Jodi VanderWeele - 13 .

1.4 RESIGNATION - Mary Ryan from the Senior Center Board MOTION TO ACCEPT AND FILE Motion by Don Hammond, second by Darryl Carlson.

Final Resolution:

Motion Passes Aye: Job Hou-Seye, Mike Damrow, Julie Kath, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel, David Van Akkeren, Jodi VanderWeele - 13 .

1.5 PUBLIC FORUM - No one spoke at the Public Forum.

1.6 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. Motion by Don Hammond, second by Darryl Carlson.

Final Resolution:

Motion Passes Aye: Mike Damrow, Julie Kath, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel, David Van Akkeren, Jodi VanderWeele Nay: Job Hou-Seye

2.2 R. O. No. 2 - 15 - 16 by the City Clerk granting various license applications. ACCEPT AND FILE Motion by Don Hammond, second by Darryl Carlson.

Final Resolution:

Motion Passes Aye: Mike Damrow, Julie Kath, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel, David Van Akkeren, Jodi VanderWeele Nay: Job Hou-Seye

2.3 R. O. No. 3 - 15 - 16 by the Bd. of Water Commissioners submitting their report on the Water Utility for the first quarter of 2015. ACCEPT AND FILE Motion by Don Hammond, second by Darryl Carlson.

Final Resolution:

Motion Passes Aye: Mike Damrow, Julie Kath, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel, David Van Akkeren, Jodi VanderWeele Nay: Job Hou-Seye

2.4 R. O. No. 4 - 15 - 16 by the Bd. of Water Commissioners submitting a copy of the 2014 Annual Financial Statements, including Independent Auditor's Report , on the Sheboygan Water Utility. ACCEPT AND FILE Motion by Don Hammond, second by Darryl Carlson.

Final Resolution:

Motion Passes Aye: Mike Damrow, Julie Kath, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel, David Van Akkeren, Jodi VanderWeele Nay: Job Hou-Seye

2.5 R. O. No. 5 - 15 - 16 by the Bd. of Water Commissioners transmitting the 2014 Annual Report to the Public Service Commission (PSC) of Wisconsin. ACCEPT AND FILE Motion by Don Hammond, second by Darryl Carlson.

Final Resolution:

Motion Passes Aye: Mike Damrow, Julie Kath, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel, David Van Akkeren, Jodi VanderWeele Nay: Job Hou-Seye

2.6 R. O. No. 6 - 15 - 16 by the City Plan Commission to whom was referred Gen. Ord. No. 50 - 14 - 15 and R. O. No. 299 - 14 - 15 by the City Clerk granting Gottsacker Real Estate Services, Inc., the privilege of encroaching on described portions of the alley that lies between St. Clair Ave. and Michigan Ave. located at 1217 N. 8 th St. for the purpose of building and maintaining an exhaust hood and maintaining a canopy. ACCEPT AND FILE AND PASS ORDINANCE Motion by Don Hammond, second by Darryl Carlson.

Final Resolution:

Motion Passes Aye: Mike Damrow, Julie Kath, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel, David Van Akkeren, Jodi VanderWeele Nay: Job Hou-Seye

2.7 R. C. No. 1 - 15 - 16 by Law and Licensing to whom was referred R. O. No. 301 - 14 - 15 submitting various license applications; recommends that the licenses be granted (Superior). ACCEPT AND ADOPT Motion by Don Hammond, second by Darryl Carlson.

Final Resolution:

Motion Passes Aye: Mike Damrow, Julie Kath, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel, David Van Akkeren, Jodi VanderWeele Nay: Job Hou-Seye

2.8 R. C. No. 2 - 15 - 16 by Law and Licensing to whom was referred R. O. No. 363 - 14 - 15 and R. O. No. 291 - 14 - 15 submitting various licenses; recommends that the licenses be granted (Wehmeyer). ACCEPT AND ADOPT Motion by Don Hammond, second by Darryl Carlson.

Final Resolution:

Motion Passes Aye: Mike Damrow, Julie Kath, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel, David Van Akkeren, Jodi VanderWeele Nay: Job Hou-Seye

### 3. REPORTS OF OFFICERS

3.1 R. O. No. 7 - 15 - 16 by the City Clerk submitting a communication from Tracy Kaderabek requesting that she be allowed to park a 55 ' Maiora express yacht on the east side of the Sheboygan River directly north of the slips occupied by the Wolf Pack charter fleet and north of the floating dock for the

Kayak rental. SUSPEND AND ACCEPT AND FILE MOTION TO SUSPEND AND ACCEPT AND FILE - Chad Pelishek spoke. Motion by Don Hammond, second by Darryl Carlson.

Final Resolution:

Motion Passes Aye: Job Hou-Seye, Mike Damrow, Julie Kath, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel, David Van Akkeren, Jodi VanderWeele

3.2 R. O. No. 8 - 15 - 16 by the City Clerk submitting a claim from Navneil Singh Gill for alleged damages to his vehicle when a water drainage cover was upside down and out of the drain which busted his rear car tire. FINANCE

3.3 R. O. No. 9 - 15 - 16 by the City Clerk submitting a Summons and Complaint in the matter of Johnson Bank vs. Jeffrey M. Leisner et al. FINANCE

3.4 R. O. No. 11 - 15 - 16 by the City Clerk submitting a communication from Christopher Fitzpatrick requesting a waiver from the Sex Offender Residency restrictions in order to live at 2330 N. 15 th St. PUBLIC PROTECTION AND SAFETY

3.5 R. O. No. 12 - 15 - 16 by the City Clerk submitting a communication from John Wright requesting a waiver from the Sex Offender Residency restrictions in order to live at 918 B Michigan Ave. PUBLIC PROTECTION AND SAFETY

3.6 R. O. No. 13 - 15 - 16 by the City Clerk submitting a communication from Christopher Holmes requesting a waiver from the Sex Offender Residency restrictions in order to live at 416 Niagara Ave. PUBLIC PROTECTION AND SAFETY

3.7 R. O. No. 14 - 15 - 16 by the City Clerk submitting a communication from Jonathan L. Boeldt requesting a waiver from the Sex Offender Residency restrictions in order to live at 1629 Sibley Ct. PUBLIC PROTECTION AND SAFETY

3.8 R. O. No. 15 - 15 - 16 by the City Clerk submitting a communication from Michael Tuel requesting a waiver from the Sex Offender Residency restrictions in order to live at 1720 N. 11 th St. PUBLIC PROTECTION AND SAFETY

3.9 R. O. No. 16 - 15 - 16 by the City Clerk submitting a communication from Andrew Darren Tershner requesting a waiver to the Sex Offender Residency restrictions in order to live at 2015 S. 14 th St. PUBLIC PROTECTION AND SAFETY

3.10 R. O. No. 17 - 15 - 16 by the City Clerk submitting a communication from Ken Klabecek, Manager of 4 th Street Tap, requesting permission to use the Armory parking lot for extra parking for customers for their annual 4 th of July summer bash. PUBLIC WORKS

3.11 R. O. No. 18 - 15 - 16 by the City Clerk submitting a communication from the Sheboygan County Sheriff's Department requesting fuel access for the Sheriff's Office Lake Michigan Patrol Boat 444. PUBLIC WORKS

#### 4. RESOLUTIONS

4.1 Res. No. 4 - 15 - 16 by Ald. Hammond accepting \$493,500 in Community Development Block Grant-Disaster Recovery funds from the WI Department of Administration for 2008 storms and flooding that occurred in the City of Sheboygan. SUSPEND AND PASS RESOLUTION MOTION TO SUSPEND AND PASS RESOLUTION Motion by Don Hammond, second by Darryl Carlson.

Final Resolution:

Motion Passes Aye: Job Hou-Seye, Mike Damrow, Julie Kath, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel, David Van Akkeren, Jodi VanderWeele

4.2 Res. No. 5 - 15 - 16 by Ald. Belanger authorizing entering into contract with Miller & Associates of Sauk Prairie for the purposes of supplying and installing new playground equipment at King Park. SUSPEND AND PASS RESOLUTION

MOTION TO SUSPEND AND PASS RESOLUTION Motion by Bill Thiel, second by Joseph Heidemann.

Final Resolution:

Motion Passes Aye: Job Hou-Seye, Mike Damrow, Julie Kath, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel, David Van Akkeren, Jodi VanderWeele

4.3 Res. No. 6 - 15 - 16 by Ald. Hammond authorizing the Mayor to execute a Termination Agreement with the Mead Public Library terminating the Reserved Fund and Liability Transfer Agreement between the parties. FINANCE

4.4 Res. No. 7 - 15 - 16 by Ald. Hammond authorizing entering into a contract for buildings and property insurance coverage. FINANCE

4.5 Res. No. 8 - 15 - 16 by Ald. Hammond authorizing a transfer of appropriations in the 2015 Budget (establish revenue and appropriation for State of Wis. CDBG Disaster Recovery Funding for Pennsylvania Ave. storm sewer and roadway projects). FINANCE

4.6 Res. No. 9 - 15 - 16 by Ald. Belanger authorizing executing a one-year lease for agricultural property in the City of Sheboygan. PUBLIC WORKS

4.7 Res. No. 10 - 15 - 16 by Ald. Belanger authorizing executing a contract between the City, State, DOT and McMahon Associates, Inc. for engineering of the design of North Ave. (Calumet Dr. to N. 15 th St.) PUBLIC WORKS

4.8 Res. No. 11 - 15 - 16 by Ald. Belanger authorizing executing a contract between the City, State, DOT and Donohue & Associates, Inc. for the engineering of the design of Superior Ave. (Taylor Dr. to N. 29 th St.) PUBLIC WORKS

4.9 Res. No. 12 - 15 - 16 by Ald. Belanger authorizing entering into a revised State/Municipal Agmt. for design and construction for the 14 th Street Sheboygan River Bridge. PUBLIC WORKS

#### 5. REPORTS OF COMMITTEES

5.1 R. C. No. 5 - 15 - 16 by Law and Licensing to whom was referred R. O. No. 362 - 14 - 15 and R. O. No. 268 - 14 - 15 submitting various license applications; recommends that Beverage Operator's License application # 0697 be denied based on her failure to cooperate with the Committee. ACCEPT AND ADOPT refer back to Law and Licensing Motion by Jodi VanderWeele, second by Susan Lessard.

Final Resolution:

Motion Passes Aye: Job Hou-Seye, Mike Damrow, Julie Kath, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel, David Van Akkeren, Jodi VanderWeele

5.2 R. C. No. 3 - 15 - 16 by Law and Licensing to whom was referred R. O. No. 362 - 14 - 15 and R. O. No. 268 - 14 - 15 submitting various license applications; recommends that Beverage Operator's License application # 0692 be denied based on 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 MOTION TO ACCEPT AND ADOPT Motion by Jodi VanderWeele, second by Susan Lessard.

Final Resolution:

Motion Passes Aye: Job Hou-Seye, Mike Damrow, Julie Kath, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel, David Van Akkeren, Jodi VanderWeele

5.3 R. C. No. 4 - 15 - 16 by Law and Licensing to whom was referred R. O. No. 362 - 14 - 15 and R. O. No. 268 - 14 - 15 submitting various license applications recommends that Taxicab Driver's License # 0355 be denied based on

her failure to accurately reveal all relevant convictions on her 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 MOTION TO ACCEPT AND ADOPT Motion by Jodi VanderWeele, second by Susan Lessard.

Final Resolution:

Motion Passes Aye: Job Hou-Seye, Mike Damrow, Julie Kath, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel, David Van Akkeren, Jodi VanderWeele

#### 6. OTHER MATTERS

6.1 R. O. No. 19 - 15 - 16 by the Purchasing Agent submitting proposals for the purchase of a 2015 4 WD articulated wheel loader. PUBLIC WORKS

6.2 Res. No. 13 - 15 - 16 by Ald. Belanger authorizing entering into contract for the purchase of one articulated wheel loader. PUBLIC WORKS

#### 7. OTHER MATTERS RECEIVED AFTER AGENDA WAS PUBLISHED

7.1 R. O. No. 10 - 15 - 16 by the City Clerk submitting various license applications. LAW AND LICENSING

#### 8. CLOSED SESSION

8.1 MOTION TO CONVENE IN CLOSED SESSION under the exemption provided in Sec. 19.85 (1)(e) of the Wisconsin Statutes for the purpose of deliberating the possible sale of public property where competitive and bargaining reasons require a closed session related to the former Boston Store site and property located on Main Ave. (parcel 59281619270) and the former Schuchardt property. (not specified) Motion by Don Hammond, second by Darryl Carlson.

Final Resolution:

Motion Passes Aye: Job Hou-Seye, Mike Damrow, Julie Kath, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel, David Van Akkeren, Jodi VanderWeele

#### 9. RECONVENE IN OPEN SESSION - The Council did not reconvene in open session.

9.1 Possible action on item discussed in closed session.

#### 10. ADJOURN

10.1 Motion to adjourn Motion by Don Hammond, second by Darryl Carlson.

Final Resolution:

Motion Passes Aye: Mike Damrow, Julie Kath, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Bill Thiel, David Van Akkeren, Jodi VanderWeele Nay: Job Hou-Seye