

MINUTES OF THE NINETEENTH REGULAR COMMON COUNCIL MEETING - 6: 00 PM (Monday, January 5, 2015) Generated by Susan Richards on Tuesday, January 6, 2015 Members present Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Ty Dassler, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele - 15 . 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: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Ty Dassler, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele

1.4 RESIGNATIONS - None

1.5 COUNCIL APPOINTMENTS - None

1.6 CONFIRMATION OF COUNCIL APPOINTMENTS - None

1.7 PUBLIC FORUM - Collin Kachel and Jason Peters spoke.

1.8 MAYOR'S ANNOUNCEMENTS

2. HEARING

2.1 Hearing No. 12 - 14 - 15 will be held this evening to amend the City's Zoning Map to change the Use District Classification of property located at 502 N. 14 th St. from Class NR Neighborhood Residential to Class NC Neighborhood Commercial Classification. NO ONE APPEARED FOR THE ABOVE HEARING.

MOTION TO CLOSE HEARING Motion by Don Hammond, second by Darryl Carlson.

Final Resolution:

Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Ty Dassler, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele

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.

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 Darryl Carlson.

Final Resolution:

Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Ty Dassler, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele

3.2 R. O. No. 205 - 14 - 15 by the City Clerk granting various licenses.

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 Darryl Carlson.

Final Resolution:

Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Ty Dassler, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele

3.3 R. O. No. 206 - 14 - 15 by the Dir. of Planning & Development submitting as a matter of record, the Final Judgment and Abridgment of Final Judgment in the matter of the estate of Carol L. Butzen to the City of Sheboygan. 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 Darryl Carlson.

Final Resolution:

Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Ty Dassler, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele

3.4 R. C. No. 233 - 14 - 15 by Finance to whom was referred R. O. No. 224 - 12 - 13 submitting a Notice of Injury regarding alleged injuries of Lorrie Kluck who slipped on an artificial accumulation of water located at Kiwanis Park; recommends that the document be placed on file. 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 Darryl Carlson.

Final Resolution:

Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Ty Dassler, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele

3.5 R. C. No. 234 - 14 - 15 by Finance to whom was referred R. O. No. 137 - 14 - 15 submitting a Notice of Injury from AT&T regarding an alleged incident with City employees mowing outside of the right-of-way causing damage to a marked AT&T buried telephone cable; recommends that the document be placed on file. 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 Darryl Carlson.

Final Resolution:

Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Ty Dassler, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele

3.6 R. C. No. 235 - 14 - 15 by Finance to whom was referred R. O. No. 166 - 14 - 15 submitting a communication from Stephan Brickson for alleged damages to her vehicle when she was stopped for a stop sign and was rear-ended by a City vehicle; recommends that the document be placed on file. 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 Darryl Carlson.

Final Resolution:

Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Ty Dassler, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele

3.7 R. C. No. 236 - 14 - 15 by Finance to whom was referred R. O. No. 168 - 14 - 15 submitting a claim from Rene Gallegos for alleged damages to his vehicle when a tree in Evergreen Park fell on his SUV; recommends that the claim be denied and to direct the City Attorney to send a Notice of Disallowance. 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 Darryl Carlson.

Final Resolution:

Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Ty Dassler, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele

3.8 R. C. No. 237 - 14 - 15 by Finance to whom was referred R. O. No. 184 - 14 - 15 submitting a claim for Refund of Excessive Real Estate Taxes imposed on the Claimant, Plastics Engineering Co., owner of parcel no. 59281629042 ; recommends that the request be approved. 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 Darryl Carlson.

Final Resolution:

Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Ty Dassler, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele

4. REPORTS OF OFFICERS

4.1 R. O. No. 207 - 14 - 15 by the Purchasing Agent submitting bids for removal and disposal of materials containing asbestos and lead-based paint prior to demolition of structure at 812 New Jersey Ave. FINANCE

4.2 R. O. No. 208 - 14 - 15 by the Purchasing Agent submitting breakdown for the lease/purchase of replacement/refurbished ambulance vehicles. FINANCE

4.3 R. O. No. 209 - 14 - 15 by the City Clerk submitting a communication from Trover Solutions, Inc., on behalf of their insured Mary A. Dolson and their client IMT Insurance Co. FINANCE

4.4 R. O. No. 210 - 14 - 15 by the City Clerk submitting a claim from Mary Bogart for alleged damages to her vehicle when a snow plow came into her lane and hit her car. FINANCE

4.5 R. O. No. 215 - 14 - 15 by the Purchasing Agent submitting costs for the purchase of 5 2015 Ford Patrol duty Utility Interceptor vehicles. PUBLIC PROTECTION AND SAFETY

4.6 R. O. No. 216 - 14 - 15 by the City Clerk submitting a communication from Wendell Anderson requesting a waiver from the Sex Offender Residency restriction in order to live at a TLP at either 1123 / 1125 N. 14 th St. or 930 A Michigan Ave. depending on availability. PUBLIC PROTECTION AND SAFETY

4.7 R. O. No. 211 - 14 - 15 by the City Clerk submitting a claim from Joel Brunnbauer for alleged damages to his truck when DPW workers were grinding the brush pile at the drop off site and debris flew out and hit his truck. FINANCE

4.8 R. O. No. 212 - 14 - 15 by the City Clerk submitting a claim from Chong Yang for alleged damages to his door into his apartment when police or firemen forced entry when they could not get into the apartment. FINANCE

4.9 R. O. No. 217 - 14 - 15 by the Building Inspection Dept. submitting their report for the months of September and November 2014. PUBLIC PROTECTION AND SAFETY

5. RESOLUTIONS

5.1 Res. No. 126 - 14 - 15 by Ald. Belanger, Bitters, Bohren, Carlson, Damrow, Dassler, Donohue, Hammond, Heidemann, Hermann, Kath, Lessard, Matichek, Thiel, Van Akkeren and VanderWeele urging the Governor and the state Legislature to enact the League of Wisconsin Municipalities' Partnership for Prosperity agenda. PASS RESOLUTION MOTION TO PASS RESOLUTION Motion by Don Hammond, second by Darryl Carlson.

Final Resolution:

Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Ty Dassler, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele

5.2 Res. No. 128 - 14 - 15 by Ald. Hammond authorizing entering into contract for the abatement of asbestos of property located at 812 New Jersey Ave. FINANCE

5.3 Res. No. 129 - 14 - 15 by Ald. Hammond regarding Industrial Development Revenue Bond Financing for Polyfab Corp. Project. FINANCE

5.4 Res. No. 130 - 14 - 15 by Ald. Hammond authorizing a transfer of appropriations in the 2015 Budget (establish revenue and appropriation for proceeds from the Estate of Carol Butzen). FINANCE

5.5 Res. No. 131 - 14 - 15 by Ald. Hammond authorizing entering into a seven year lease to purchase agreement for remounting and refurbishing 3 existing ambulance bodies onto new chassis and purchase one pre-owned 2008 model ambulance. FINANCE

5.6 Res. No. 132 - 14 - 15 by Ald. Carlson entering into contract for the purchase of 5 patrol duty vehicles and 1 sedan. PUBLIC PROTECTION AND SAFETY

5.7 Res. No. 127 - 14 - 15 by Ald. Belanger approving the 2015 - 2019 Consolidated Plan for the Housing and Community Development utilizing Community Development Block Grant (CDBG). CITY PLAN COMMISSION

6. MATTERS LAID OVER R. O. No. 200 - 14 - 15 by City Plan Commission to whom was referred Gen. Ord. No. 39 - 14 - 15 and R. O. No. 191 - 14 - 15 amending the Zoning Map for property located at 502 N. 14 th St. from NR- 6 Neighborhood Residential 6 to NC Neighborhood Commercial Classification; recommends that the Ordinance be passed. ACCEPT AND FILE AND PASS ORDINANCE MOTION TO ACCEPT AND FILE AND PASS ORDINANCE Motion by John Belanger, second by Darryl Carlson.

Final Resolution

: Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Ty Dassler, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele

6.2 Res. No. 121 - 14 - 15 by Ald. Hammond, Belanger, Donohue and Kath authorizing entering into contract for purchase of two JVC Pro HD Camcorders

for TV

8. PASS RESOLUTION MOTION TO PASS RESOLUTION Motion by Don Hammond, second by Darryl Carlson.

Final Resolution:

Motion Passes Aye: Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Ty Dassler, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele
Nay: Mike Damrow

6.3 Res. No. 122 - 14 - 15 by Ald. Hammond, Belanger, Donohue and Kath authorizing a transfer of appropriations in the 2014 Budget (establish appropriation for purchase of JVC Pro HD Camcorders for TV 8). PASS RESOLUTION
MOTION TO PASS RESOLUTION Motion by Don Hammond, second by Darryl Carlson.

Final Resolution:

Motion Passes Aye: Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Ty Dassler, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele
Nay: Mike Damrow

7. OTHER MATTERS RECEIVED AFTER THE AGENDA WAS PUBLISHED

7.1 R. O. No. 214 - 14 - 15 by the City Clerk submitting various license applications. LAW AND LICENSING

7.2 R. O. No. 213 - 14 - 15 by the City Clerk submitting a Summons and Complaint in the matter of Daniel Gilbertson et al vs the City of Sheboygan.

FINANCE

8. ADJOURN

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

Final Resolution:

Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Ty Dassler, Mary Lynne Donohue, Don Hammond, Joseph Heidemann, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele