

SIXTEENTH REGULAR COMMON COUNCIL MEETING - 6:00 PM

"SOME CHANGE TAKE TIME TO HAPPEN. IF YOU WANT SOMETHING TO HAPPEN, BE PREPARED TO MAKE SOME EFFORT."

Notice of the 16th meeting of the 2014-2015 Common Council at 6:00 p.m., MONDAY, November 17, 2014, 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 - BARBARA KNAUF FROM HOUSING AUTHORITY

ATTACHMENT: RESIGNATION KNAUF.pdf

1.5 COUNCIL APPOINTMENTS - ROBERT RANK TO HOUSING AUTHORITY

ATTACHMENT: APPOINTMENT RANK.pdf

1.6 CONFIRMATION OF COUNCIL APPOINTMENTS - MAYOR'S NEIGHBORHOOD LEADERSHIP CABINET

ATTACHMENT: CONFIRMATION OF APPOINTMENTS.pdf

1.7 PUBLIC FORUM

1.8 MAYOR'S ANNOUNCEMENTS

2. HEARING

2.1 There is a hearing this evening to create a Sheboygan Shoreland Zoning Ordinance in conformance with Sections 62.23 and 62.233, Wis. Stats.

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 the City Clerk granting various licenses. ACCEPT AND FILE

ATTACHMENT: Granted licenses updated.pdf

3.3 An R. O. by the City Clerk submitting a communication from Sheboygan County submitting the apportionment sheets for 2014 for levying and apportioning taxes. ACCEPT AND FILE

ATTACHMENT: SHEBOYGAN COUNTY TAX LEVY.pdf

3.4 An R. O. by the City Clerk submitting a communication from Sheboygan Area School District approving the Tax Levy for the 2014-2015 school year. ACCEPT AND FILE

ATTACHMENT: SASD TAX LEVY.pdf

3.5 An R. C. by Finance to whom was referred R. O. 110-14-15 submitting a claim from West Meadows Condo Association for alleged damages to the corner of a gutter on a garage when a City garbage truck backed up into it recommends filing document. ACCEPT AND ADOPT

ATTACHMENT: RO 110.pdf

3.6 An R. C. by Finance to whom was referred R. O. No. 123-14-15 submitting a communication from State Farm Insurance on behalf of their client Vincent Xiong with regards to an accident involving Mr. Xiong and a police car recommends that the claim be denied and to direct the City Attorney to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 123.pdf

3.7 An R. C. by Finance to whom was referred R. O. No. 125-14-15 submitting a claim from Jenny Tershner for alleged damages to her basement when the sewer backed up recommends that the claim be denied and to direct the City Attorney to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 125.pdf

3.8 An R. C. by Finance to whom was referred R. O. No. 169-12-13 submitting a Notice of Claim from Kaster Law on behalf of their client Sandra Behr recommends that the document be placed on file. ACCEPT AND ADOPT

ATTACHMENT: RO 169-12-13.pdf

3.9 An R. C. by Finance to whom was referred R. O. No. 169-14-15 submitting the 2015 BID Statement of Purpose and the 2015 Operating Budget from the Harbor Centre Business Improvement District (BID) recommends that the document be accepted and placed on file to approve. ACCEPT AND ADOPT

ATTACHMENT: RO 169.pdf

3.10 An R. C. by Public Protection and Safety to whom was referred R. O. No. 174-14-15 submitting a petition from Richard Hendricks et al. requesting a 2-hour parking restriction on the east side of N. 12th St. between North Ave. and School Ave. recommends that the document be accepted and placed on file and to do a study on the parking situation. ACCEPT AND ADOPT

ATTACHMENT: RO 174.pdf

3.11 An R. C. by Public Works to whom was referred R. O. No. 177-14-15 submitting a communication from the Chairman of the Sheboygan Jaycees Trails requesting that the Council accept a donation of ski trail grooming equipment to the Parks Dept. recommends that the document be accepted and placed on file and to approve accepting the donation. ACCEPT AND ADOPT

ATTACHMENT: RO 177.pdf

3.12 An R. C. by Finance to whom was referred R. O. No. 171-14-15 and Res. No. 84-14-15 authorizing entering into contract with Mannenbach Mechanical, Inc. for complete installation of the Chiller Modules at the Library recommends that the resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RO 171.pdf

3.13 An R. C. by Public Protection and Safety to whom was referred Res. No. 85-14-15 authorizing executing the Joint Powers Agreement for Sheboygan County and City of Sheboygan 911 Emergency Systems recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 85.pdf

3.14 An R. C. by Public Works to whom was referred Res. No. 86-14-15 authorizing the acceptance of a temporary limited easement for the S. 14th Street Bridge Project recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 86.pdf

3.15 An R. C. by Public Works to whom was referred Res. No. 87-14-15 authorizing purchasing right-of-way for the S. 14th Street Bridge Project recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 87.pdf

3.16 An R. C. by Law and Licensing to whom was referred, pursuant to R. O. No. 154-14-15 submitting various licenses (Bartels) recommends granting licenses. ACCEPT AND ADOPT

ATTACHMENT: LICENSES BARTELS.pdf

3.17 An R. C. by Law and Licensing to whom was referred, pursuant to R. O. No. 173-14-15, recommends granting various licenses. ACCEPT AND ADOPT

ATTACHMENT: PURSUANT TO RO 173 ARROWOOD.pdf

3.18 An R. C. by Salaries and Grievances to whom was referred Gen. Ord. No. 36-14-15 amending the Municipal Code so as to add a part-time code enforcement officer position in the City Development Dept. recommends passing the Ordinance. ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: GO 36.pdf

4. REPORTS OF OFFICERS

4.1 An R. O. by the City Plan Commission to whom was referred Gen. Ord. No. 35-14-15 and R. O. No. 165-14-15 amending the zoning ordinance to change the Use District Classification from NR-6 Neighborhood 6 to UR-12 Urban Residential 12 for the former Washington School recommends that the attached Substitute Ordinance be passed. LIES OVER

ATTACHMENT: GO 35.pdf

4.2 An R. O. by the Purchasing Agent submitting bids for the demolition and site restoration of the former Boston Store. LIES OVER

ATTACHMENT: BIDS FOR BOSTON STORE.pdf

4.3 An R. O. by the City Clerk submitting a communication from Bennett C. Kunert to undo a wrong that has been done against Mr. Lamb regarding a disciplinary action by Transit. TRANSIT

ATTACHMENT: KUNERT.pdf

4.4 An R. O. by the City Clerk submitting a claim for Refund of Excessive Real Estate Taxes imposed on the Claimant, Plastics Engineering Co. FINANCE

ATTACHMENT: EXCESSIVE REAL ESTATE TAX.pdf

4.5 An R. O. by the City Clerk submitting a communication from Kathleen Burkard requesting that a handicap no parking sign be placed in front of her home. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: BURKARD.pdf

4.6 An R. O. by the City Clerk submitting a communication from Kristina Gohr for alleged damages to her vehicle when she was hit by a Dept. of Public Works truck as she was driving. FINANCE

ATTACHMENT: GOHR.pdf

4.7 An R. O. by the City Clerk submitting a communication from the State of WI Dept. of Corrections filing an appeal to the Sex Offender Residency restrictions on behalf of Paul Hilbelink in order to live in a TLP. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: PAUL HILBELINK.pdf

4.8 An R. O. by the City Clerk submitting a Summons and Complaint in the matter of The Estate of Jaime Olivas, Lisa Olivas, Alean Olivas vs. Cities and Towns Mutual Insurance Co. et al. FINANCE

ATTACHMENT: SUMMONS AND COMPLAINT.pdf

5. RESOLUTIONS

5.1 A Resolution authorizing retaining outside legal counsel in the matter of Olivas v. City of Sheboygan et al. SUSPEND AND PASS RESOLUTION

ATTACHMENT: OUTSIDE LEGAL COUNSEL.pdf

5.2 A Resolution authorizing a transfer of appropriations in the 2014 budget (establish appropriation for purchase and demolition of 727 N. 8th St.) LIES OVER

ATTACHMENT: TRANSFER.pdf

5.3 A Resolution amending Res. No. 39-10-11 authorizing the Finance Auditor/Analyst to negotiate settlement of certain liability insurance claims. LIES OVER

ATTACHMENT: AMEND RES 39.pdf

5.4 A Resolution authorizing entering into contract for the complete demolition of the former Boston Store. LIES OVER

ATTACHMENT: DEMO OF BOSTON STORE RES.pdf

5.5 A Resolution authorizing the acceptance of a temporary limited easement for the Taylor Dr. Bike and Pedestrian Trail Project. PUBLIC WORKS

ATTACHMENT: TEMPORARY LIMITED EASEMENT.pdf

6. REPORTS OF COMMITTEES

6.1 An R. C. by Law and Licensing to whom was referred R. O. No. 138-14-15 submitting various licenses recommends that Taxicab Driver's License #0565 be denied based on his failure to accurately reveal all relevant convictions on his application, his record of violations related to the licensed activity and his failure to cooperate with the Committee. ACCEPT AND ADOPT TO DENY

ATTACHMENT: RO 138.pdf

6.2 An R. C. by Law and Licensing submitting facts and finds regarding the Taxicab Driver's License #5224 held by Michael Gaumer and the committee recommends that the Common Council uphold its decision to deny renewal of this Taxicab Driver's License. ACCEPT AND ADOPT TO DENY

ATTACHMENT: FACTS AND FINDINGS.pdf

7. MATTERS LAID OVER

7.1 R. O. No. 149-14-15 by the City Plan Commission to whom was referred Gen. Ord. No. 30-14-15 relative to creating a shoreland zoning ordinance for the City in conformance with Sections 62.23 and 62.233, Wis. Stats., recommends that the Ordinance be passed. ACCEPT AND FILE AND PASS ORDINANCE

ATTACHMENT: GO 30.pdf

7.2 Res. No. 83-14-15 by Ald. Carlson officially recognizing the North Flats Neighborhood Association. PASS RESOLUTION

ATTACHMENT: RES 83.pdf

7.3 Gen. Ord. No. 34-14-15 by Ald. Donohue, Dassler, Hammond and VanderWeele amending the Municipal Code so as to extend the expiration date of the initial Chief Administrative Officer appointee's term to August 23, 2016. PASS ORDINANCE

ATTACHMENT: GO 34.pdf

8. OTHER MATTERS RECEIVED AFTER AGENDA WAS PUBLISHED

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

ATTACHMENT: REFERRED RO.pdf

8.2 An R. O. by the City Clerk submitting a communication from Gorman & Company, Inc., requesting the conditional use permit be extended for 1238 Geele Ave. - Washington School. CITY PLAN COMMISSION

ATTACHMENT: Gorman letter.pdf

9. CLOSED SESSION

9.1 MOTION TO CONVENE IN CLOSED SESSION under Section 19.85(1)(e) of the Wis. Stats., for the purpose of deliberating possible tentative agreement with the Sheboygan Professional Police Officers Supervisory Association and the proposed implementation of a revised Medical Benefit Plan Design for the Sheboygan Professional Police Officers Association for 2015 where competitive

and bargain reasons require a closed session.

10. RECONVENE IN OPEN SESSION

10.1 Possible action on items discussed in closed session.

10.2 A Resolution by Ald. Hammond authorizing implementing a revised medical benefit plan design for 2015 for the Sheboygan Professional Police Officers' Association regarding health insurance coverage for 2015.

ATTACHMENT: REVISED MEDICAL PLAN SPPOA.pdf

10.3 A Resolution by Ald. Hammond authorizing entering into a Tentative Agreement with the Sheboygan Professional Police Officers' Supervisory Association for a successor contract.

ATTACHMENT: TENTATIVE AGMT.pdf

11. ADJOURN

11.1 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