

MINUTES OF THE TWELFTH REGULAR COMMON COUNCIL MEETING - 6: 00 PM (Monday, September 15, 2014) Generated by Susan Richards on Tuesday, September 16, 2014  
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 . Members excused - David Van Akkeren - 1 . 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 ELECTION OF BOARD OF WATERWORKS COMMISSIONER Motion by Don Hammond and second by Darryl Carlson to open the floor for nominations for a member of the Bd. of Waterworks Commission, all ayes. Don Hammond nominated Ray Haen for the position, second by Darryl Carlson. Having no other nominations from the floor, Don Hammond moved, Darryl Carlson seconded that the City Clerk be directed to cast a unanimous ballot for Ray Haen for Bd. of Waterworks Commissioner, all ayes.

1.5 PRESENTATION - MEAD PUBLIC LIBRARY UPDATE - GARRETT ERICKSON/DIRECTOR

1.6 PUBLIC FORUM - No one spoke

1.7 MAYOR'S ANNOUNCEMENTS

2. HEARING

2.1 Hearing No. 7 - 14 - 15 regarding special assessments for water main replacements in Weeden Creek Rd. from S. Taylor Dr. to the RR (railroad) approximately 1600 ' westerly. NO ONE SPOKE AT THE 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. MOTION TO ACCEPT AND FILE ALL RO'S, ACCEPT AND ADOPT ALL RC'S AND PASS ALL RESOLUTIONS 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. 121 - 14 - 15 by the City Clerk granting various license applications. ACCEPT AND FILE

Resolution:

MOTION TO ACCEPT AND FILE 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 Res. No. 69 - 14 - 15 by Ald. Hammond and Lessard confirming exercising of police power in making an assessment for properties which are proposed for assessments for the water main replacement in Weeden Creek Rd. from S. Taylor Dr. to the RR (railroad) approximately 1600 ' westerly. PASS RESOLUTION

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

3.4 R. C. No. 159 - 14 - 15 by Law and Licensing recommending granting various licenses (Meyer's Lakeview Pub). ACCEPT AND ADOPT

Resolution:

MOTION TO ACCEPT AND ADOPT 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. 160 - 14 - 15 by Law and Licensing recommending granting various licenses (Swovy's). ACCEPT AND ADOPT

Resolution:

MOTION TO ACCEPT AND ADOPT Motion by Don Hammond, second by Darryl Carlson.

Ald. VanderWeele requested that Beverage Operator's License # 0537 (Amanda Drews) be taken off the RC and referred back to Law and Licensing, all Alderpersons voting Aye.

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. 122 - 14 - 15 by the Chief Administrative Officer submitting, as part of the budget process, the listing of the Estimated Unreserved Fund Balances at December 31, 2014 and outstanding debt as of December 31, 2014.

LIES OVER

4.2 R. O. No. 123 - 14 - 15 by the City Clerk submitting a communication from State Farm Insurance on behalf of their client Vincent Xiong with regards to an accident involving their insured and one of the City's police vehicles. REFER TO FINANCE

4.3 R. O. No. 124 - 14 - 15 by the Purchasing Agent submitting bids for the purchase of a chiller assembly for Mead Public Library. REFER TO FINANCE

4.4 R. O. No. 125 - 14 - 15 by the City Clerk submitting a claim from Jenny Tershner for alleged damages to her basement when the sewer backed up and came into her house. REFER TO FINANCE

4.5 R. O. No. 127 - 14 - 15 by the City Clerk submitting a communication from Scott R. Goines Jr. requesting a waiver from the Sex Offender Residency restrictions in order to live at 919 N. 5 th St., Apt.

19. REFER TO PUBLIC PROTECTION AND SAFETY

4.6 R. O. No. 128 - 14 - 15 by the City Clerk submitting a communication from Patrick M. Miech requesting a waiver from the Sex Offender Residency restrictions in order to live at 3010 S. 19 th St. REFER TO PUBLIC PROTECTION AND SAFETY

#### 5. RESOLUTIONS

5.1 Res. No. 71 - 14 - 15 by Ald. Hammond authorizing entering into a contract for the purchase of three Multi-stack Chiller Modules for Mead Public Library. REFER TO FINANCE

5.2 Res. No. 72 - 14 - 15 by Ald. Hammond authorizing a transfer of appropriations in the 2014 Budget. REFER TO FINANCE

5.3 Res. No. 73 - 14 - 15 by Ald. Carlson authorizing the filing of an application with the USA DOT and authorizing the executing of the contract pertaining to grants for calendar year 2015, under former Section 9 (USC 5307) of the Federal Transit Act of 1964, as amended. REFER TO TRANSIT COMMISSION

#### 6. REPORTS OF COMMITTEES

6.1 R. C. No. by Law and Licensing recommending denying Beverage Operator's License # 0506 based upon 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 REFER BACK TO COMMITTEE Motion by Jodi VanderWeele, second by Bill Thiel.

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 R. C. No. 161 - 14 - 15 by Salaries and Grievances to whom was referred Gen. Ord. No. 27 - 14 - 15 by Ald. Donohue repealing Chapter 29 of the 1975 Municipal Code and repealing and recreating Chapter 82 of the Sheboygan Municipal Code relating to personnel regulations and benefits; recommends that the RC be accepted and adopted and the attached Substitute Ordinance be passed. MOTION TO ACCEPT AND ADOPT AND PASS SUBSTITUTE ORDINANCE Motion by Mary Lynne Donohue, second by Jim Bohren.

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

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

7.1 R. O. No. 126 - 14 - 15 by the City Clerk submitting various license applications. REFER TO LAW AND LICENSING

#### 8. CONVENE IN CLOSED SESSION

8.1 MOTION TO CONVENE IN CLOSED SESSION under the exemption provided in Sec. 19.85 (1)(e), Wis. Stats., for the purpose of deliberating regarding the provision of tourism promotion and development services for the City where competitive and bargaining reasons require a closed session and under the exemption provided in Sec.

19.85 (1)(e), Wis. Stats. for the purpose of deliberating the selling of public property where competitive and bargaining reasons require a closed session..

MOTION TO CONVENE IN CLOSED SESSION 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

9. RECONVENE IN OPEN SESSION

9.1 Res. No. 70 - 14 - 15 by Ald. Hammond extending the contract start date until March 1, 2015 for the property known as I- 43 /Weeden Creek parcel between the City of Sheboygan and Becknell Industrial. 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

10. ADJOURN

10.1 Motion to adjourn 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