

TENTH REGULAR COMMON COUNCIL MEETING MINUTES - 6: 00 PM (Monday, August 18, 2014) Generated by Susan Richards on Tuesday, August 19, 2014

Meeting called to order at 6: 00 PM

1. OPENING OF MEETING

1.1

ROLL CALL MEMBERS PRESENT: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele - 13 .
EXCUSED:

Heidemann, Dassler - 2 . NOT EXCUSED:

Van Akkeren - 1 . 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, Mary Lynne Donohue, Don Hammond, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele - 13

Action:

1.4 COUNCIL APPOINTMENTS - Mayor's Neighborhood Leadership Cabinet - LIES OVER

Action:

1.5 CONFIRMATION OF COUNCIL APPOINTMENTS - Don Tershner to Housing Authority; Marilyn Montemayor to City Plan Commission MOTION TO CONFIRM 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, Mary Lynne Donohue, Don Hammond, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele

Action:

1.6 ESSLINGEN EXCHANGE STUDENTS INTRODUCTIONS

Action:

1.7 KEY TO THE CITY PRESENTATION TO SAM DECKER

Action:

1.8 PUBLIC FORUM - The following spoke at Public Forum:

Dolcye Johnson, Jerry Link, Thomas Siegworth and Montclair Brown.

Action:

1.9 MAYOR'S ANNOUNCEMENTS

2. HEARINGS

2.1 Hearing No. 5 - 14 - 15

for the special assessments for water lateral replacements in the following streets: S. 12 th St. from Indiana Ave. to Alabama Ave. and Kentucky Ave. from S. 12 th St. to S. 13 th St. Motion to confirm appointments - No one appeared to speak at the 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, Mary Lynne Donohue, Don Hammond, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele- 13.

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. Motion by Don Hammond, second by Darryl Carlson.

Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele- 13.

3.2 R. O. No. 108 - 14 - 15 by the City Clerk granting various license applications. ACCEPT AND FILE

Resolution:

MOTION TO ACCEPT AND FILE Motion to approve Motion by Don Hammond, second by Darryl Carlson. Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele- 13.

3.3 Res. No. 56 - 14 - 15 by Ald. Hammond recommending reactivating the Building Use Committee. REFER TO STRATEGIC

FISCAL PLANNING

3.4 R. C. No. 129 - 14 - 15 by Law and Licensing to whom was referred R.O. No. 90 - 14 - 15 submitting license application for the period ending June 30, 2015 and June 30, 2016, recommends granting the following license. ACCEPT AND ADOPT.

Resolution:

ACCEPT AND ADOPT. MOTION TO APPROVE Motion by Don Hammond, second by Darryl Carlson. Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele- 13.

3.5 R. C. No. 130 - 14 - 15 by Public Works to whom was referred R. O. No. 107 - 14 - 15 submitting a communication from REINS, Inc. requesting using the property donated to the City by the estate of Carol Butzen for their therapeutic riding and learning program for individuals with disabilities, recommends that the document be placed on file. ACCEPT AND ADOPT.

Resolution:

ACCEPT AND ADOPT. MOTION TO APPROVE FILING DOCUMENTS Motion by Don Hammond, second by Darryl Carlson. Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele- 13

3.6 R. C. No. 128 - 14 - 15 by Public Protection and Safety to whom was referred Com. No. 3 - 14 - 15 submitting a communication from Bill Dreps regarding traffic, safety and parking issues at King Park as well as the noise pollution due to "Food Truck Friday", recommends that the document be placed on file. ACCEPT AND ADOPT.

Resolution:

ACCEPT AND ADOPT. MOTION TO APPROVE Motion by Don Hammond, second by Darryl Carlson. Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele- 13

3.7 R. C. No. 134 - 14 - 15 by Finance to whom was referred Res. No. 52 - 14 - 15 by Alderperson Carlson in support of a fair allocation of the state's segregated transportation fund, recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

Resolution:

ACCEPT AND ADOPT AND PASS THE RESOLUTION. MOTION TO APPROVE Motion by Don Hammond, second by Darryl Carlson. Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele- 13

3.8 R. C. No. 135 - 14 - 15 by Finance to whom was referred R. O. No. 102 - 14 - 15 and Res. No. 53 - 14 - 15 entering into contract for the replacement of three file server devices for the IT Dept., recommends that the Report of Officer be accepted and placed on file and the Resolution be passed. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

Resolution:

ACCEPT AND ADOPT AND PASS THE RESOLUTION. MOTION TO APPROVE Motion by Don Hammond, second by Darryl Carlson. Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele- 13

3.9 R. C. No. 131 - 14 - 15 by Law and Licensing to whom was referred, pursuant to R. O. No. 103 - 14 - 15 submitting license application for the period ending June 30, 2015 and June 30, 2016, recommends granting various licenses. ACCEPT AND ADOPT.

Resolution:

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

Darryl Carlson. Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele- 13

3.10 R. C. No. 132 - 14 - 15 by Law and Licensing to whom was referred, pursuant to R. O. No. 76 - 14 - 15 submitting license application for the period ending June 30, 2015 and June 30, 2016, recommends granting various licenses.

ACCEPT AND ADOPT.

Resolution:

ACCEPT AND ADOPT.

MOTION TO APPROVE

Motion by Don Hammond, second by Darryl Carlson. Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele- 13

4. REPORTS OF OFFICERS

4.1 R. O. No. 109 - 14 - 15 by the Dir. of Planning and Development submitting a request of the 2015 City of Sheboygan Tourism budget request from the Sheboygan County Chamber of Commerce for Room Tax Profit and Loss, and related documents REFER TO FINANCE

4.2 R. O. No. 110 - 14 - 15 by the City Clerk 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 to turn around and caught the corner of the gutter. REFER TO FINANCE

4.3 R. O. No. 112 - 14 - 15 by the City Clerk submitting a communication from State of WI Dept. of Corrections on behalf of State Inmate John H Wright requesting a waiver to the Sex Offender Residency restrictions in order to live in one of the TLP's at 930 A Michigan or 1123 / 1125 N. 14 th St. REFER TO PUBLIC PROTECTION AND SAFETY

4.4 R. O. No. 113 - 14 - 15 by the City Clerk submitting a communication from Robert Palmer requesting a waiver from the Sex Offender Residency restrictions in order to live at 1328 Union Ave. REFER TO PUBLIC PROTECTION AND SAFETY

5. RESOLUTIONS

5.1 RES. No. 57 - 14 - 15

terminating the lease agreement between Jerry A. Link and Julie L. Link, d/b/a River of Life Outreach Ministries and the City of Sheboygan. PASS THE RESOLUTION.

Resolution:

PASS THE RESOLUTION. MOTION TO APPROVE Motion by Don Hammond, second by Darryl Carlson. Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Darryl Carlson, Mary Lynne Donohue, Don Hammond,

Kevin Matichek, Jodi VanderWeele- 9. Nays:

Hermann, Lessard, Thiel - 3. Abstain: Bohren- 1.

5.2 Res. No. 58 - 14 - 15 by Alderperson Donohue authorizing the Human Resources Director to contract with Diversified Benefits Services for the provision of insurance benefit consulting services. SALARIES AND GRIEVANCES.

5.3 Res. No. 56 - 14 - 15 by Ald. Hammond reactivating the Building Use Committee. REFER TO STRATEGIC FISCAL PLANNING

5.4 Res. No. 59 - 14 - 15 by Ald. Donohue and Matichek confirming the exercise of police powers in making assessment for the proposed water lateral replacements in S. 12 th St. from Indiana Ave. to Alabama Ave. and Kentucky Ave. from S. 12 th St. to S. 13 th St. PASS THE RESOLUTION MOTION TO APPROVE Motion by Don Hammond, second by Darryl Carlson. Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele- 13. 6. REPORTS OF COMMITTEES

6.1 R. C. No. 136 - 14 - 15 by Finance to whom was referred Res. No. 54 - 14 - 15 authorizing a transfer of appropriations in the 2014 Budget(establishing revenue and appropriation for Wisconsin Department of Public Instruction grant for Library Services, recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

Resolution:

ACCEPT AND ADOPT AND PASS THE RESOLUTION. MOTION TO APPROVE Motion by Don Hammond, second by Darryl Carlson. Motion Passes Aye: Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Mary Lynne Donohue, Don Hammond, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele- 13

6.2 R. C. No. 133 - 14 - 15 by Law and Licensing recommending denying Beverage Operator's License # 0370 based on his failure to accurately reveal all relevant convictions on his application, his record of violations related to the licensed activity and his record as a habitual law violator. ACCEPT AND ADOPT MOTION TO ACCEPT AND ADOPT 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, Mary Lynne Donohue, Don Hammond, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele- 13

6.3 R. C. No. 142 - 14 - 15 by Public Protection and Safety heard and reviewed the documentary evidence by the City Engineer pertaining to G. O. No. 22 - 14 - 15 and R. C. No. 110 - 14 - 15 creating commuter impacted parking on the east and west sides of N. 11 th St. LIES OVER.

6.4 R. C. No. 137 - 14 - 15 by Public Protection and Safety recommending referral of Budget documents R. O. No. 86 - 14 - 15 and R. O. No. 87 - 14 - 15 with the recommendation that the budget be amended to add salaries for 1 code enforcer and 1 part time clerk in Building Inspection and to add 1 police officer in the Police Dept. REFER TO FINANCE

6.5 R. C. No. 138 - 14 - 15 by Public Works recommending referral of documents R. O. No. 86 - 14 - 15 and R. O. No. 87 - 14 - 15 (BUDGET DOCUMENTS) to the Committee on Finance. REFER TO FINANCE.

6.6 R. C. No. 139 - 14 - 15 by Finance recommending referral of documents R. O. No. 86 - 14 - 15 and R. O. No. 87 - 14 - 15 (BUDGET DOCUMENTS). REFER TO FINANCE.

6.7 R. C. No. 140 - 14 - 15 by Law and Licensing recommending referral of documents R. O. No. 86 - 14 - 15 and R. O. No. 87 - 14 - 15 (BUDGET DOCUMENTS). REFER TO FINANCE.

6.8 R. C. No. 141 - 14 - 15 by Salaries and Grievances recommending referral of documents R. O. No. 86 - 14 - 15 and R. O. 87 - 14 - 15 (BUDGET DOCUMENTS). REFER TO FINANCE.

7. ORDINANCES

7.1 Charter Ord. No. 2 - 14 - 15 by Ald. Hammond (being subject to the home rule provisions of sec. 66.0101 of the Wisconsin Statutes) providing for the appointment of the City Attorney in lieu of the current method of election by the voters to such office under Wis. Stats.

62.09 (3)(b)(4). REFER TO SALARIES AND GRIEVANCES

8. OTHER MATTERS NOT RECEIVED BY AGENDA PUBLICATION

8.1 R. O. No. 111 - 14 - 15 by the City Clerk submitting various license applications for the period ending June 30, 2015 and June 30, 2016. REFER TO LAW AND LICENSING

8.2 R. O. No. 114 - 14 - 15 by the Dir. of Planning and Development submitting the final City of Sheboygan Green Tier Legacy Community Sustainability Plan - 2015 - 2019 for adoption. REFER TO STRATEGIC FISCAL PLANNING

8.3 Gen. Ord. No. 27 - 14 - 15 by Ald. Donohue repealing Chapt. 29 of the 1975 Municipal Code and repealing and recreating Chapter 82 of the Municipal Code relating to personnel regulations and benefits. REFER TO SALARIES AND GRIEVANCES

8.4 Gen. Ord. No. 28 - 14 - 15 by Ald. Carlson relating to parking on highways adjacent to schools within the City of Sheboygan. REFER TO PUBLIC PROTECTION AND SAFETY

9. ADJOURN

9.1 Motion to adjourn 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, Mary Lynne Donohue, Don Hammond, Mark Hermann, Susan Lessard, Kevin Matichek, Bill Thiel, Jodi VanderWeele- 13.