

SIXTH REGULAR COMMON COUNCIL MEETING - 6: 00 PM (Monday, June 16, 2014)  
MINUTES Generated by Susan Richards on Tuesday, June 17, 2014 Members present  
Mike Damrow, Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl  
Carlson, Ty Dassler, Mary Lynne Donohue, Don Hammond, Mark Hermann, Bill Thiel,  
Jodi VanderWeele 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, Mark  
Hermann, Bill Thiel, Jodi VanderWeele

1.4 RESIGNATIONS - NONE

1.5 COUNCIL APPOINTMENTS - NONE

1.6 PRESENTATION BY THE CHAMBER OF COMMERCE - TOURISM ECONOMIC IMPACT UPDATE  
FOR SHEBOYGAN COUNTY

1.7 PUBLIC FORUM - NONE

1.8 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 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, Mark  
Hermann, Bill Thiel, Jodi VanderWeele

2.2 R. O. No. 59 - 14 - 15 by the City Attorney submitting, as a matter of  
record, the original recorded Warranty Deed from John F. Schicker to the City of  
Sheboygan authorizing the purchase of 1132 Alabama Ave. ACCEPT AND FILE

2.3 R. O. No. 60 - 14 - 15 by the City Clerk granting various licenses. ACCEPT  
AND FILE

2.4 R. O. No. 62 - 14 - 15 by the City Plan Commission recommending authorizing  
the purchase of 1010 Erie Ave. for the purpose of the razing the property for  
new private investment in the neighborhood as part of the Neighborhood  
Revitalization Strategy Area activities. ACCEPT AND FILE RO AND PASS RESOLUTION

2.5 R. C. No. 49 - 14 - 15 by Law and Licensing recommending granting license  
(Ruffin). ACCEPT AND ADOPT

2.6 R. C. No. 50 - 14 - 15 by Law and Licensing recommending granting license  
(Wagner). ACCEPT AND ADOPT

2.7 R. C. No. 51 - 14 - 15 by Finance recommending filing document submitting a  
Petition, Notice and List of Tax Liens of Sheboygan County being foreclosed.  
ACCEPT AND ADOPT

2.8 R. C. No. 52 - 14 - 15 by Law and Licensing recommending granting various  
licenses (Beltran). ACCEPT AND ADOPT

2.9 R. C. No. 54 - 14 - 15 by Law and Licensing recommending granting various  
licenses (Daves Whos Inn). ACCEPT AND ADOPT

2.10 R. C. No. 55 - 14 - 15 by Law and Licensing recommending granting various licenses (Armstrong). ACCEPT AND ADOPT

2.11 R. C. No. 56 - 14 - 15 by Law and Licensing recommending granting various licenses (Beans on 12 th). ACCEPT AND ADOPT

2.12 R. C. No. 57 - 14 - 15 by Public Protection and Safety recommending filing document submitting the Fire Chief's report for the period of Jan. 1, 2013 and ending Dec. 31, 2013. ACCEPT AND ADOPT

2.13 R. C. No. 61 - 14 - 15 by Public Works recommending authorizing entering into contract with Sheboygan County for the purposes of providing aerial ortho-photography with planimetrics as well as LiDar data for use in City mapping and engineering projects. ACCEPT AND ADOPT AND PASS RESOLUTION

2.14 R. C. No. 62 - 14 - 15 by Public Works recommending authorizing the Chief Administrative Officer to authorize a contract with Siemens to perform the required field service of the Wastewater Treatment Plant's Aeration Blowers. ACCEPT AND ADOPT AND PASS RESOLUTION

2.15 R. C. No. 63 - 14 - 15 by Public Works recommending informing the Wisconsin Dept. of Natural Resources (WDNR) of the 2013 Compliance Maintenance Annual Report (CMAR) has been reviewed. ACCEPT AND ADOPT AND PASS RESOLUTION

2.16 R. C. No. 58 - 14 - 15 by Public Protection and Safety recommending filing document placing stop signs at the southwest and northeast corners of N. 12 th St. and North Ave. ACCEPT AND ADOPT TO FILE ORDINANCE

3. REPORTS OF OFFICERS

3.1 R. O. No. 61 - 14 - 15 by the City Plan Commission recommending vacating a portion of the paved alley between N. 14 th St. and N. 15 th St. between St. Clair Ave. and Erie Ave. LIES OVER TO JULY 7 TH

3.2 R. O. No. 64 - 14 - 15 by the City Clerk submitting a Summons and Complaint in the matter of Bank of America N.A. vs Michelle M. Zabel et al. REFER TO FINANCE

3.3 R. O. No. 66 - 14 - 15 by the City Clerk submitting a communication from Mai Seng Xiong requesting a waiver from the Sex Offender Residency restrictions in order to live at 1555 N. 15 th St. REFER TO PUBLIC PROTECTION AND SAFETY

3.4 R. O. No. 67 - 14 - 15 by the City Clerk submitting a communication from Gabriel Gonzalez requesting a waiver from the Sex Offender Residency restrictions in order to live at 334 A Huron Ave. REFER TO PUBLIC PROTECTION AND SAFETY

3.5 R. O. No. 68 - 14 - 15 by the City Clerk submitting a communication from Timothy G. Elliott requesting a waiver from the Sex Offender Residency restrictions in order to live at 926 A St. Clair Ave. REFER TO PUBLIC PROTECTION AND SAFETY

3.6 R. O. No. 69 - 14 - 15 by the City Clerk submitting a communication from Cordarro Pena requesting a waiver from the Sex Offender Residency restrictions in order to live at 406 / 408 Center Ave. REFER TO PUBLIC PROTECTION AND SAFETY

4. RESOLUTIONS

4.1 Res. No. 23 - 14 - 15 by Ald. Hammond authorizing a transfer of appropriations in the 2014 Budget (establish appropriation for engineering services for Mead Library; uncollectible charges to tax roll; and purchase of property at 1020 Erie Ave.) REFER TO FINANCE

4.2 Res. No. 24 - 14 - 15 by Ald. Hammond in support of a national marine sanctuary in Wisconsin's Mid-Lake Maritime Trails Region. REFER TO FINANCE

4.3 Res. No. 25 - 14 - 15 by Ald. Heidemann adopting technical standards and methods for right-of-way excavation, backfilling, restoration and repair. REFER TO PUBLIC WORKS

4.4 Res. No. 26 - 14 - 15 by Ald. Heidemann authorizing DPW to exceed an existing contract amount by more than 15 % of the original contract for the 2014 Worker's Water Street Park Bank Stabilization Project. REFER TO PUBLIC WORKS

4.5 Res. No. 27 - 14 - 15 by Ald. Heidemann authorizing entering into a State/Municipal Agmt. Revision No. 2 for design and construction for the

Sidewalk Gap Improvement project. REFER TO PUBLIC WORKS

4.6 Res. No. 28 - 14 - 15 by Ald. Heidemann authorizing entering into a State/Municipal Agmt. for design and construction of Superior Ave. from N. Taylor Dr. to N. 29 th St. REFER TO PUBLIC WORKS

4.7 Res. No. 29 - 14 - 15 by Ald. Heidemann authorizing entering into a State/Municipal Agmt. for design and construction of North Ave.

from Calumet Dr. to N. 15 th St. REFER TO PUBLIC WORKS

## 5. REPORTS OF COMMITTEES

5.1 R. C. 53 - 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 and his record of violations related to the licensed activities. ACCEPT AND ADOPT MOTION TO ACCEPT AND ADOPT License holder spoke. Motion by Jodi VanderWeele, second by Bill Thiel.

Final Resolution:

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

5.2 R. C. No. 60 - 14 - 15 by Public Works recommending authorizing entering into a contract for the resurfacing of S. 8 th St. from Kentucky Ave. to Union Ave. and passing the attached Substitute Resolution. ACCEPT AND ADOPT AND PASS SUBSTITUTE RESOLUTION MOTION TO ACCEPT AND ADOPT AND PASS SUBSTITUTE RESOLUTION Motion by John Belanger, 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, Mark Hermann, Bill Thiel, Jodi VanderWeele

5.3 R. C. No. 59 - 14 - 15 by Public Protection and Safety recommending creating Section 50 - 183 (c) of the Municipal Code prohibiting use of sky lanterns in the City of Sheboygan. LIES OVER TO JULY 7 TH

## 6. ORDINANCES

6.1 Gen. Ord. No. 14 - 14 - 15 by Ald. Donohue, VanderWeele and Bohren amending the 1975 Municipal Code so as to add/delete various position(s) to the Police Dept. Table of Organization. LIES OVER

6.2 Gen. Ord. No. 15 - 14 - 15 by Ald. Heidemann repealing and recreating Article IV of Chapter 110 of the Municipal Code relating to right-of-way excavations. REFER TO PUBLIC WORKS

6.3 Gen. Ord. No. 16 - 14 - 15 by Ald. Heidemann repealing and recreating Section 110 - 1 of the Municipal Code relating to penalties for violation of certain sections of Chapter 110. REFER TO PUBLIC WORKS

6.4 Gen. Ord. No. 17 - 14 - 15 by Ald. Heidemann creating Section 110 - 6 of the Municipal Code providing for issuance of stop work orders for work being carried on in violation of the provisions of Chapter 110. REFER TO PUBLIC WORKS

## 7. CHARTER ORDINANCE

7.1 Charter Ord. No. 1 - 14 - 15 by Ald. Donohue (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 Wisconsin Statute

62.09 (3)(b)(4). REFER TO SALARIES AND GRIEVANCES AND COMMITTEE OF THE WHOLE

8. NOTICE TO DISCHARGE THE FINANCE COMMITTEE REGARDING R. O. NO. 54 - 14 - 15  
8.1 R. O. No. 54 - 14 - 15 by the Director of Planning and Development  
requesting accepting a sponsorship contribution from Festival Foods towards the  
2014, 2015 and 2016 City's Independence Day Celebration for the purpose of  
coordinating and funding the fireworks display. ACCEPT AND FILE MOTION TO  
DISCHARGE THE FINANCE COMMITTEE REGARDING R. O. NO. 54 - 14 - 15 Motion by  
Don Hammond, second by Darryl Carlson. Motion Passes Aye: Mike Damrow,  
Julie Kath, Bryan Bitters, John Belanger, Jim Bohren, Darryl Carlson, Ty  
Dassler, Mary Lynne Donohue, Don Hammond, Mark Hermann, Bill Thiel, Jodi  
VanderWeele 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, Mark  
Hermann, Bill Thiel, Jodi VanderWeele

## 9. OTHER MATTERS

R. O. No. 63 - 14 - 15 by the City Clerk submitting a claim from Maryann  
Dolson for alleged damages to her basement when the sewer

main clogged and flushed back up into her basement.

REFER TO FINANCE

R. O. No. 65 - 14 - 15 by the City Clerk submitting various license  
applications (Herrmann).

REFER TO LAW AND LICENSING

## 10. CLOSED SESSION

10.1 A MOTION TO CONVENE IN CLOSED SESSION 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, Mark  
Hermann, Bill Thiel, Jodi VanderWeele

11. RECONVENE IN OPEN SESSION - [Council did not reconvene in closed session]

11.1 Possible action on item discussed in closed session.

12. ADJOURN

12.1 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, Mark Hermann, Bill Thiel, Jodi VanderWeele.