

FOURTH REGULAR COMMON COUNCIL MEETING - 6:00 PM

"IF YOU HAVE A STRONG COMMITMENT TO YOUR GOALS AND DREAMS.....IF YOU WAKE UP EVERY DAY WITH A PASSION TO DO YOUR JOB.....EVERYTHING IS POSSIBLE." ~Chantal Petitclerc

Notice of the 4th meeting of the 2014-2015 Common Council at 6:00 p.m., MONDAY, May 19, 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

1.5 COUNCIL APPOINTMENTS

1.6 CONFIRMATION OF COUNCIL APPOINTMENTS - Tyler Ott for Harbor Centre BID, Scott Lewandoske for Historic Preservation/Housing Rehabilitation Commission, Charlie Conrady for Board of Marina, Park and Forestry Commissioners.

ATTACHMENT: Lewandoske - appointment.pdf

ATTACHMENT: Ott appointment.pdf

ATTACHMENT: Conrady - appointment.pdf

1.7 PRESENTATION - INFRASTRUCTURE REVIEW BY DAVID BIEBEL, DIRECTOR OF PUBLIC WORKS

1.8 PUBLIC FORUM

1.9 MAYOR'S ANNOUNCEMENTS

2. CONSENT AGENDA

2.1 Consent Agenda - Motion to accept and file all RO's, accept and adopt all RC's and pass all Resolutions.

2.2 An R. O. by the City Clerk granting various licenses. ACCEPT AND FILE

ATTACHMENT: GRANT LICENSES.pdf

2.3 An R. O. by the City Plan Commission recommending granting an encroachment to QMart in order to replace and maintain an LED sign at 1006 Geele Ave. ACCEPT AND FILE AND PASS ORDINANCE

ATTACHMENT: GO 1.pdf

2.4 An R. O. by the City Plan Commission recommending granting encroachments for Sheboygan Dental Care in order to replace the existing accessible ramp and entry stairs and to install a canopy over the ramp and stairs at 2202 Indiana Ave. ACCEPT AND FILE AND PASS ORDINANCE

ATTACHMENT: GO 2.pdf

2.5 An R. O. by the City Plan Commission recommending granting an encroachment to ExteNet Systems, Inc., for the installation of new underground conduit structures for fiber optic cable at various locations. ACCEPT AND FILE AND PASS ORDINANCE

ATTACHMENT: ExteNet - 3B and Indiana Ave..pdf

ATTACHMENT: Node 17B.pdf

ATTACHMENT: GO 5.pdf

2.6 An R. C. by Finance recommending denying claim from Michael Free, Meadow View Manor, for alleged damages to the property (basement) from sewage backup and directing the City Attorney to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 254.pdf

2.7 An R. C. by Finance recommending filing claim from AT&T for alleged damages to AT&T facilities at the N. 10th St. location and paying the claim in the amount of \$4,592.40. ACCEPT AND ADOPT

ATTACHMENT: RO 307.pdf

2.8 An R. C. by Finance recommending denying claim from Nicole Reynolds for alleged damages to her vehicle when City front end loaders were removing snow and scratched from the front driver's side panel to the passenger door and to direct the City Atty. to send a Notice of Disallowance and to refer the documents to Wagner Excavating. ACCEPT AND ADOPT

ATTACHMENT: RO 332.pdf

2.9 An R. C. by Public Protection and Safety recommending filing various documents. ACCEPT AND ADOPT

ATTACHMENT: RO 346.pdf

2.10 An R. C. by Public Protection and Safety recommending filing various documents. ACCEPT AND ADOPT

ATTACHMENT: RO 358.pdf

2.11 An R. C. by Finance recommending filing claim from Mark Lueck for alleged damages to his vehicle when a garbage man threw a bag of garbage and it broke the rear window of his car and paying the claim in the amount of \$707.36. ACCEPT AND ADOPT

ATTACHMENT: RO 11.pdf

2.12 An R. C. by Finance recommending filing document submitting a communication from the GrandStay Residential Suites requesting that their penalty fees and interest they incurred during their changeover of management

be waived. ACCEPT AND ADOPT

ATTACHMENT: RO 14.pdf

2.13 An R. C. by Finance recommending approving Community Bank & Trust's offer to allow the City to modify the first parking stall near City Hall to make it handicap accessible for those citizens who need access to City Hall with the cost of modifications covered by the City. ACCEPT AND ADOPT

ATTACHMENT: RO 15.pdf

2.14 An R. C. by Public Protection and Safety recommending entering into contract for the replacement of the main flat roof on Fire Station #4, 2622 N. 15th St. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RO 25.pdf

2.15 An R. C. by Public Protection and Safety recommending authorizing application for the 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award, Local Solicitation and entering into a Memorandum of Understanding with Sheboygan County. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 6.pdf

2.16 An R. O. by Redevelopment Authority to whom was referred a communication from Thomas Laiken of Millennium Properties, Inc. regarding the possible purchase of land south of their plant, recommends the R. O. be filed. ACCEPT AND FILE.

ATTACHMENT: RO 587-04-05.docx

2.17 An R. O. by Redevelopment Authority to whom was referred a communication submitting a Notice of Circumstances giving rise to claim for damages pursuant to Sec. 893.80, Wis. Stats., recommends the R. O. be filed. ACCEPT AND FILE.

ATTACHMENT: RO 301-12-13.pdf

2.18 An R. O. by Redevelopment Authority submitting a communication from Donna and Don Dvetan, Chairpersons of Miesfeld's Lakeshore Weekend requesting permission for the years 2014 and 2015 to host this event at South Pier on the last weekend in July and making various requests of the city, recommends approval of 2014 only with proof of insurance and hold harmless agreement. ACCEPT AND FILE.

ATTACHMENT: RO 351-13-14.pdf

2.19 An R. O. by Redevelopment Authority to authorize the appropriate city officials to execute an Acknowledgement and Consent to a Cross-Easement Agreement, recommends the Resolution be filed. ACCEPT AND FILE.

ATTACHMENT: Res 118-08-09.pdf

2.20 An R. O. by the City Atty. submitting, as a matter of record, the original recorded Warranty Deed from KCPLATE RENTALS a/k/a KC Plate Rentals, LLC to the City of Sheboygan, executed in accordance with Res. No. 155-13-14 authorizing the purchase of 1022/1022A Erie Ave. ACCEPT AND FILE

ATTACHMENT: Warranty Deed.pdf

ATTACHMENT: Warranty deed.pdf

2.21 An R. O. by Transit Commission filing various documents. ACCEPT AND FILE

ATTACHMENT: TRANSIT.pdf

2.22 An R. C. by Law and Licensing granting various licenses. ACCEPT AND ADOPT

ATTACHMENT: RC Law and Licensing Al & Al s.pdf

2.23 An R. C. by Law and Licensing recommending filing documents submitting a communication from the Assistant Principal at Urban Middle School questioning the ordinance regarding E-cigarettes and requesting that the City Atty. revise the ordinance to add E-cigarettes. ACCEPT AND ADOPT

ATTACHMENT: E-CIGARETTES.pdf

2.24 An R. C. by Law and Licensing recommending granting Taxicab Driver's License #8429 contingent upon the application being corrected. ACCEPT AND ADOPT

ATTACHMENT: Grant #8429.pdf

2.25 An R. C. by Public Works recommending filing document submitting a communication from the Planning and Tourism Director of the Chamber of Commerce making an updated request for the Twilight Concerts and 4th of July events. ACCEPT AND ADOPT

2.26 An R. C. by Public Works recommending authorizing signing easements for mini-storm sewers to be constructed in portions of various properties (Ayers & Schuh). ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 7.pdf

2.27 An R. C. by Public Works recommending signing easements for mini-storm sewers to be constructed in portions of various properties (Johnston & Eilmus). ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 8.pdf

2.28 An R. C. by Public Works recommending authorizing the acceptance of temporary limited easements for the Sidewalk Gap Project. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 9.pdf

2.29 An R. C. by Public Works recommending filing document submitting a communication from Ald. Donohue from a constituent who has expressed concerns regarding pesticide, herbicide and fertilizer use at various parks. ACCEPT AND ADOPT

ATTACHMENT: RO 26.pdf

2.30 An R. C. by Law and Licensing recommends that Beverage Operator's License #0338 be granted contingent upon the application being corrected, and with a warning to include all violations on future applications. ACCEPT AND ADOPT

ATTACHMENT: RC 373-13-14(#0338).pdf

3. COMMUNICATIONS AND PETITIONS

3.1 A Communication from Alderperson Donohue submitting a communication from Jim Reinl requesting "no parking" signs be removed in the alley for the rest of the year other than winter - across from Golden Harbor. PUBLIC PROTECTION AND SAFETY.

ATTACHMENT: Reinl.pdf

4. REPORTS OF OFFICERS

4.1 An R. O. by the City Plan Commission recommending amending the Zoning Map to change the Use District Classification of various properties on St. Clair Ave., N. 14th St. and Erie Ave. from NR-6 Neighborhood Residential to UC Urban Commercial. LIES OVER TO JUNE 2ND

ATTACHMENT: GO 4.pdf

4.2 An R. O. by the Library Director submitting the Mead Public Library Annual Report for 2013. REFER TO FINANCE

ATTACHMENT: ANNUAL REPORT 2013.pdf

4.3 An R. O. by City Clerk submitting a communication from Angel Ramirez requesting a waiver to the Sex Offender Residency restrictions in order to live at 1503 John Ct. PUBLIC PROTECTION AND SAFETY.

ATTACHMENT: RO Ramirez.pdf

4.4 An R. O. by City Clerk submitting a communication from Aaron and Jenny Brault requesting an encroachment on City right of way to reconstruct a failing retaining wall on their property at 2010 N. 6th St. CITY PLAN COMMISSION.

ATTACHMENT: Brault.pdf

4.5 An R. O. by the City Clerk submitting a communication from RCS Empowers requesting permission to display a temporary in-street pedestrian sign at the crosswalk located at the bike path crossing Geele Ave. REFER TO PUBLIC PROTECTION AND SAFETY

ATTACHMENT: RCS.pdf

5. RESOLUTIONS

5.1 A Resolution by Alderpersons Heidemann and Bohren authorizing signing an easement for mini-storm sewers in various locations. PUBLIC WORKS.

ATTACHMENT: RES - easements.pdf

5.2 A Resolution by Ald. Heidemann authorizing entering into Amendment No. 1 to Agreement between Sheboygan Athletic Club, Inc. and the City of Sheboygan for use of Wildwood Baseball Park. REFER TO PUBLIC WORKS

ATTACHMENT: Amendment No. 1.pdf

5.3 A Resolution by Ald. Heidemann authorizing the acceptance of temporary limited easements for the Sidewalk Gap Project. REFER TO PUBLIC WORKS

ATTACHMENT: Temporary easements.pdf

ATTACHMENT: Temporary Easements.pdf

6. REPORTS OF COMMITTEES

6.1 An R. C. by Law and Licensing recommending denying Beverage Operator's License #9687 based upon her failure to accurately reveal all relevant convictions on her application and her record of violations related to the licensed activities. ACCEPT AND ADOPT

ATTACHMENT: Deny #9687.pdf

6.2 An R. C. by Law and Licensing recommending denying Taxicab Driver's License #0337 based upon her record of violations related to the licensed activity, her failure to cooperate with the Committee and her status as a habitual law violator. ACCEPT AND ADOPT

ATTACHMENT: Deny #0337.pdf

6.3 An R. C. by Finance recommending transferring appropriations in the 2014 Budget (establish appropriation for purchase and demolition of 727 N. 8th St.; establish appropriation for purchase of Schuchardt Farm, Inc.; establish Capital Improvements funding for 2014). ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 3.pdf

7. ORDINANCES

7.1 An Ordinance by Alderpersons Carlson and Damrow granting Aaron and Jenny Brault, their heirs and assigns, the privilege of encroaching upon described property located at 2010 N. 6th St. for the purpose of reconstructing and maintaining a failing retaining wall. CITY PLAN COMMISSION.

ATTACHMENT: GO Brault.pdf

8. OTHER MATTERS

8.1 An R. O. by the City Clerk submitting a communication from Eric Boherstengel requesting a waiver from the Sex Offender Residency restrictions in order to live at 1219 N. 16th St. REFER TO PUBLIC PROTECTION AND SAFETY

ATTACHMENT: BOHENSTENGEL.pdf

8.2 A Resolution by Ald. Hammond authorizing all City Officers to keep and preserve public records by means of photographic reproduction. PASS RESOLUTION

ATTACHMENT: PUBLIC RECORDS.pdf

8.3 A Resolution by Ald. Heidemann authorizing the emergency repair and reconstruction of storm sewer and subgrade for the Pennsylvania Ave. bridge abutment, as the result of a broken storm sewer pipe that caused major erosion. SUSPEND AND PASS RESOLUTION

ATTACHMENT: PENN AVE BRIDGE.pdf

9. CLOSED SESSION

9.1 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.

10. RECONVENE IN OPEN SESSION

10.1 RECONVENE IN OPEN SESSION for possible action on item discussed in closed session.

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