

REGULAR COMMON COUNCIL MEETING - 6:00 PM

"EVERY DAY IS A NEW BEGINNING - TAKE A DEEP BREATH AND START AGAIN."

Notice of the 26th meeting of the 2013-2014 Common Council at 6:00 p.m., MONDAY, April 14, 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 PUBLIC FORUM

1.5 PROCLAMATION - NATIONAL OSTEOGENESIS IMPERFECTA AWARENESS WEEK

1.6 MAYOR'S ANNOUNCEMENTS

2. CONSENT AGENDA

2.1 An R. C. by Finance submitting a Summons and Complaint in the matter of JPMorgan Chase Bank, National Association vs. Karen Kuhlman and John Doe, recommends filing the document. ACCEPT AND ADOPT.

ATTACHMENT: RO 39.pdf

2.2 An R. C. by Finance submitting and Amended Summons and Amended Complaint in the matter of HSBC Bank USA vs. Rita Smith, recommends filing the document. ACCEPT AND ADOPT.

ATTACHMENT: RO 40.pdf

2.3 An R. C. by Finance submitting an Amended Summons in the matter of Community Bank and Trust vs. Maria Mulvaney, recommends filing the document. ACCEPT AND ADOPT.

ATTACHMENT: RO 65.pdf

2.4 An R. C. by Finance submitting a Notice of Receiver's Motions in the case of Amon & Sons, et al., for approval of auctioneer, agreement with auctioneer and approval of auction to see aggregate and sand inventory free and clear of all liens, claims and encumbrances, recommends filing the document. ACCEPT AND ADOPT.

ATTACHMENT: RO 172.pdf

2.5 An R. C. by Finance submitting a claim from Delia Valadez for alleged injuries when she slipped and fell, recommends denying the claim and directing

the City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT.

2.6 An R. C. by Finance submitting a claim from Carole Fritz for alleged damages to her basement, recommends denying the claim and directing the City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT.

ATTACHMENT: RO 291.pdf

2.7 An R. C. by Finance submitting a claim from Tom and Jena Beninghaus for alleged damages to their basement, recommends denying the claim and direct the City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT.

ATTACHMENT: RO 292.pdf

2.8 An R. C. by Finance submitting Form 990 - Return of organization Exempt from Incom Tax for the Sheboygan County Humane Society for 2012, recommends the document be accepted and placed on file. ACCEPT AND ADOPT.

ATTACHMENT: RO 293-13-14.pdf

2.9 An R. C. by Finance submitting a claim from Jessie Yang for alleged damages to his vehicle when a snow plow hit his parked car, recommends accepting and filing and paying claim in the amount of \$1,713. ACCEPT AND ADOPT.

ATTACHMENT: RO 303.pdf

2.10 An R. C. by Law and Licensing submitting various license applications, recommends granting with various caveats (JMKAC). ACCEPT AND ADOPT.

ATTACHMENT: RO 313.pdf

2.11 An R. C. by Law and Licensing submitting various license applications, recommends granting with various caveats (Askalani). ACCEPT AND ADOPT.

ATTACHMENT: RO 333 - ASKALANI.pdf

2.12 An R. C. by Strategic Fiscal Planning submitting a communication from Henry Jung and Deb Beyer on behalf of the Sheboygan River Valley Conservancy, recommends the document be accepted and placed on file. ACCEPT AND ADOPT.

ATTACHMENT: RO 281-13-14.pdf

2.13 An R. C. by Strategic Fiscal Planning submitting a communication from Dr. Soeteber stating his support of the proposal for Sheboygan River Valley Conservancy, recommends the document be accepted and placed on file. ACCEPT AND ADOPT.

ATTACHMENT: RO 299-13-14.pdf

2.14 An R. C. by Finance submitting a Memo from Atty. McLean regarding the garbage fee/levy limit issue, recommends the document be placed on file. ACCEPT AND ADOPT.

ATTACHMENT: RO 304-13-14.pdf

2.15 An R. C. by Finance submitting a claim from Humberto Enriquez for alleged damages to his roof, recommends denying the claim. ACCEPT AND ADOPT.

ATTACHMENT: RO 305.pdf

2.16 An R. C. by Finance submitting a claim from Joseph Koerner for alleged damages to his vehicle when a snow plow hit his parked car, recommends that the document be accepted and filed and to pay the claim in the amount of \$1,200.32. ACCEPT AND ADOPT.

ATTACHMENT: RO 306.pdf

2.17 An R. C. by Finance recommending filing document submitting an Independent Accountant's Review Report with accompanying statements for the Sheboygan Cty. Humane Society. ACCEPT AND ADOPT.

ATTACHMENT: RO 308-13-14.pdf

2.18 An R. C. by Finance recommending entering into contract for obtaining Financial Advisory services formerly referred to as Bond Counsel Services. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RO 310-13-14.pdf

2.19 An R. C. by Finance submitting the Harbor Centre Business Improvement District financial statement, recommends the document be accepted and placed on file. ACCEPT AND ADOPT.

ATTACHMENT: RO 311.pdf

2.20 An R. C. by Finance submitting a Summons and Complaint in the matter of BMO Harris Bank vs. LTD Rentals & Restoration, LLC, recommends the document be placed on file. ACCEPT AND ADOPT.

ATTACHMENT: RO 312.pdf

2.21 An R. C. by Finance submitting the Board of Water Commissioners' Report on the Water Utility for the fourth quarter of 2013, recommends the document be accepted and filed. ACCEPT AND ADOPT.

ATTACHMENT: RO 328.pdf

2.22 An R. C. by Finance submitting a copy of the 2013 Annual Financial Statements for the Sheboygan Water Utility, recommends the document be accepted and placed on file. ACCEPT AND ADOPT.

ATTACHMENT: RO 329.pdf

2.23 An R. C. by Finance consenting to the assignment of the tenant's interest in the Operating Lease with respect to the Blue Harbor Convention Center Improvements, recommends the Resolution be passed. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: Res 141.pdf

2.24 An R. C. by Finance authorizing a transfer of appropriations in the 2014 Budget (establish appropriation for 2013 Sidewalk Program), recommends the Resolution be passed. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: RES 146.pdf

2.25 An R. C. by Finance establishing the Mayor's Neighborhood Leadership Cabinet, recommends the Resolution be passed. ACCEPT AND ADOPT AND PASS THE

RESOLUTION.

ATTACHMENT: RES 164.pdf

2.26 An R. C. by Finance terminating the Intergovernmental Cooperation Agreements for Technical Support Services, recommends the Resolution be passed. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: RES 165.pdf

2.27 An R. C. by Finance authorizing entering into a contract for buildings and property insurance coverage, recommends the Resolution be passed. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: RES 166.pdf

2.28 An R. C. by Public Works submitting a communication from the John Michael Kohler Arts Center making various requests for the 44th Annual Midsummer Festival of the Arts, recommends that the requests be approved as it relates to Public Works. ACCEPT AND ADOPT.

ATTACHMENT: RO 339 - Public Works.pdf

2.29 An R. C. by Public Works recommending entering into contract for the placement of permanent bank stabilization materials located along the banks of the Sheboygan River adjacent to Workers Water Street Park. ACCEPT AND ADOPT AND PASS RESOLUTION ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: RO 343.pdf

2.30 An R. C. by Public Works submitting various documents for entering into contract with Engineered Buildings, Inc. for constructing 2800 Ton Capacity salt storage building, recommends the Report of Officer be accepted and placed on file and pass the Resolution. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: RO 342.pdf

2.31 An R. C. by Public Works to whom was referred Res. 170-13-14 authorizing the appropriate City Officials to enter into contract with Traffic and Parking Control "TAPCO", recommends accepting and adopting the Report of Committee and pass the Resolution. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: Res 170.pdf

2.32 An R. C. by Public Works to whom was referred Res. 172-13-14 authorizing purchasing right-of-way for the Sidewalk GAP project, recommends the Resolution be passed. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: Res 172.pdf

2.33 An R. C. by Public Works to whom was referred Res. 174-13-14 authorizing the appropriate City Officials to enter into contract with Traffic and Parking Control "TAPCO" for the purposes of purchasing traffic signal equipment, recommends the Resolution be passed. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: RES 174.pdf

2.34 An R. C. by Public Works to whom was referred Res. 175-13-14 authorizing entering into contract for the replacement of sanitary sewer for N. 20th St.

from Cleveland Ave. to Geele Ave. and N. 6th St. from Euclid, recommends the Resolution be passed. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: Res 175.pdf

2.35 An R. C. by Public Protection and Safety to whom was referred R. O. 338-13-14 submitting a communication from Denny Moyer, General Manager of the Sheboygan Athletic Club requesting a street closing for Wildwood Ave., recommends that the document be placed on file and to advise the group that they need to obtain an approved street festival permit. ACCEPT AND ADOPT.

ATTACHMENT: RO 338.pdf

2.36 An R. C. by Public Protection and Safety to whom was referred R. O. 339-13-14 submitting a communication from the John Michael Kohler Arts Center making various requests of the City for the 44th Annual Midsummer Festival of the Arts, recommends that the document be placed on file and to advise the group that they need to obtain an approved street festival permit. ACCEPT AND ADOPT.

ATTACHMENT: RO 339.pdf

2.37 An R. C. by Public Protection and Safety to whom was referred R. O. 341-13-14 submitting a communication from James Reinl requesting to cut the flip flop parking at same time as daylight savings time, recommends the document be placed on file. ACCEPT AND ADOPT.

ATTACHMENT: RO 341.pdf

2.38 An R. C. by Public Protection and Safety to whom was referred R. O. 340-13-14 and Res. 168-13-14 entering into an agreement for the purchase of (17) in-car audio/video recording systems for the Sheboygan Police Department, recommends the Report Officer be accepted and placed on file and the Resolution be passed. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: RO 340.pdf

2.39 An R. O. by City Clerk submitting, as a matter of record, a copy of a communication from the DOT System Development to the Sheboygan County Highway Commissioner stating that the DOT has reviewed the resolution from the Sheboygan County Board of Supervisors requesting changes to the County Trunk Highway System in Sheboygan is approved and effective on April 10, 2014. ACCEPT AND PLACE ON FILE.

ATTACHMENT: DOT LS.pdf

2.40 An R. O. by City Clerk submitting various license applications to be granted (Chamber). ACCEPT AND ADOPT.

ATTACHMENT: GRANT LICENSES.pdf

2.41 An R. O. by Architectural Review Board to whom was referred a copy of Res. 163-13-14 authorizing the adoption of the Harbor Centre Master Plan including the 8th Street Design Standards, recommends approval of the Resolution. ACCEPT AND PLACE ON FILE AND PASS THE RESOLUTION.

ATTACHMENT: RES 163.pdf

2.42 An R. C. by Public Protection and Safety to whom was referred R. O.

279-13-14 submitting a communication from Alderperson Belanger on behalf of his constituent Michael Thomas regarding issues he is having with parking near his home near North High School, recommends the City Engineer be asked to draft an ordinance to create impact parking on the west side of the street on N. 11th St. between North and School Ave. ACCEPT AND ADOPT.

ATTACHMENT: RO 279.pdf

2.43 An R. C. by Finance to whom was referred R. O. 309-13-14 submitting a communication from John Webster and Jeff Stroub regarding billing for real estate special assessments for certain tax parcels. ACCEPT AND ADOPT.

ATTACHMENT: RO 309.pdf

2.44 A Resolution by Alderpersons Hammond, Carlson, Lessard and Donohue granting a partial deferral of special assessment for Tax Parcel 59281014356 for the Eisner Avenue reconstruction project. PASS THE RESOLUTION.

ATTACHMENT: RES PARTIAL DEFERRAL.pdf

2.45 An R. O. by City Plan Commission to whom was referred Res. 163-13-14 authorizing the adoption of the Harbor Centre Master Plan including the 8th Street Design Standards, recommends approval of the Resolution. ACCEPT AND FILE AND PASS THE RESOLUTION.

ATTACHMENT: RES 163.pdf

ATTACHMENT: Sheboygan Harbor Centre Master Plan_compressed.pdf

2.46 An R. O. by City Plan Commission to whom was referred G. O. 62-13-14 by Ald. Hammond relative to annexing territory owned by the City located at the SW corner of Playbird Rd. and County Rd Y to the City of Sheboygan, recommends approval of the General Ordinance. ACCEPT AND FILE AND PASS THE ORDINANCE.

ATTACHMENT: GO 62.pdf

3. REPORTS OF OFFICERS

3.1 An R. O. by City Clerk submitting a communication from Donna and Don Cvetan, 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 - 25th, 26th, and 27th, 2014 and making various requests of the City. REFER TO THE REDEVELOPMENT AUTHORITY.

ATTACHMENT: RO - Lakeshore Weekend.pdf

3.2 An R. O. by City Clerk submitting a communication from Alderperson Bohren along with a booklet entitled "Priority Driven Budget Process." REFER TO STRATEGIC FISCAL PLANNING COMMITTEE OF THE NEW COUNCIL.

ATTACHMENT: RO - Bohren Budget.pdf

3.3 An R. O. by City Clerk submitting a communication from Alderperson Bohren regarding questions on minutes from a Joint Meeting of the Police and Fire Commissioners and Salaries and Grievances from 12/12/11 with reference to "Deputy Chief" and "Assistant Chief". REFER TO SALARIES AND GRIEVANCES OF THE NEW COUNCIL.

ATTACHMENT: RO - Ald. Bohren.pdf

3.4 An R. O. by City Clerk submitting a communication from Gabriel Gonzalez Ramirez requesting a waiver from the Sex Offender Residency Restrictions in order to live at 334A Huron Ave. REFER TO PUBLIC PROTECTION AND SAFETY OF THE NEW COUNCIL.

ATTACHMENT: Gonzalez.pdf

3.5 An R. O. by City Clerk submitting a communication from Scott Steinberg requesting a waiver from the Sex Offender Residency restrictions in order to live at 712 Broughton Dr., Apt. 18. REFER TO PUBLIC PROTECTION AND SAFETY OF THE NEW COUNCIL.

ATTACHMENT: Steinberg.pdf

3.6 An R. O. by City Clerk submitting a communication from Travis Mojeck requesting a waiver from the Sex Offender Residency restrictions in order to live at a TLP at 1123/1125 N. 14th St. or 930A Michigan Ave. depending on availability. REFER TO PUBLIC PROTECTION AND SAFETY OF THE NEW COUNCIL.

ATTACHMENT: Mojeck.pdf

3.7 An R. O. by City Clerk submitting a communication from the Sheboygan County Chamber of Commerce making various requests for the Twilight Concerts and 4th of July Events. REFER TO PUBLIC WORKS AND PUBLIC PROTECTION AND SAFETY OF THE NEW COUNCIL.

ATTACHMENT: CHAMBER.pdf

3.8 An R. O. submitting a communication from Alderperson Lewandoske on behalf of Dan Senglaub of Filibuster Pub requesting angle parking on his side of the street in front of his business at 434 Pennsylvania Ave. REFER TO PUBLIC PROTECTION AND SAFETY OF THE NEW COUNCIL.

ATTACHMENT: Filibuster s.pdf

4. RESOLUTIONS

4.1 A Resolution by Ald. Hammond, Carlson, Belanger and Heidemann authorizing a transfer of appropriations in the 2014 Budget (establish appropriation for purchase and demolition of 1022 Erie Ave., appropriation for Mead Library projects funded by Foundation). SUSPEND AND PASS RESOLUTION

ATTACHMENT: RES - Home Rehab.pdf

4.2 A Resolution by Alderperson Hammond approving the terms and conditions of the Contract for Lease of Land, and accompanying Ground Lease, between the Redevelopment Authority and Dan Welsch d/b/a Dumper Dan's Charters. SUSPEND AND PASS THE RESOLUTION.

ATTACHMENT: Dumper Dan.pdf

5. REPORTS OF COMMITTEES

5.1 An R. C. by Law and Licensing pursuant to R. O. 313-13-14 submitting Taxicab Driver's License #0306 be denied based upon her failure to accurately reveal all relevant convictions on her application and her failure to cooperate with the committee. ACCEPT AND ADOPT.

ATTACHMENT: RO 313 - Deny.pdf

5.2 An R. C. by Law and Licensing to whom was referred R. O. 333-13-14 submitting various license applications, recommends referring to the Law and Licensing Committee of the new Common Council. REFERRED TO LAW AND LICENSING OF THE NEW COMMON COUNCIL.

ATTACHMENT: RO 333 - referred.pdf

5.3 An R. C. by Law and Licensing to whom was referred R. O. 313-13-14 submitting license application for the period ending June 30, 2014 and June 30, 2015, recommends that the following licenses be referred to the Law and Licensing Committee of the New Council. REFER TO THE LAW AND LICENSING COMMITTEE OF THE NEW COUNCIL.

ATTACHMENT: RO 313-Referred.pdf

5.4 An R. C. by Finance submitting various documents, recommends referring the Committee on Finance of the New Council. REFERRED TO FINANCE OF THE NEW COUNCIL.

ATTACHMENT: RO 171.pdf

5.5 An R. C. by Finance to whom was referred R. C. 447-12-13, recommends the documents be referred to the Finance of the New Council. REFER TO THE FINANCE OF THE NEW COUNCIL.

ATTACHMENT: RC 447.pdf

5.6 An R. C. by Finance recommends referral of various documents (starts with RO 238-13-14) REFER TO FINANCE OF THE NEW COUNCIL.

ATTACHMENT: RO 238.pdf

5.7 An R. C. by Finance submitting a Written Notice of Circumstances giving rise to Claim and Claim in the matter of Mr. Gary Niemann, recommends the documents be referred to Finance of the New Council. REFER TO FINANCE OF THE NEW COUNCIL.

ATTACHMENT: RO 334.pdf

5.8 An R. C. by Strategic Fiscal Planning submitting a communication from Atty. Bohrofen on behalf of the Hayssen Family Foundation, Inc., recommends the document be referred to the Strategic Fiscal Planning Committee of the New Council. REFER TO STRATEGIC FISCAL PLANNING OF THE NEW COUNCIL.

ATTACHMENT: RO 298.pdf

6. OTHER MATTERS

7. MATTERS LAID OVER

7.1 Res. No. 162-13-14 by Ald. Hammond authorizing moving various City of Sheboygan wards to new polling places for all future elections. PASS THE RESOLUTION.

ATTACHMENT: res 161.pdf

7.2 Res. No. 162-13-14 by Ald Hammond recommending amending document relating to the FY 2014 One-Year Annual Action Plan for the Community Development Block Grant (CDBG) Program Submission. PASS THE RESOLUTION.

ATTACHMENT: RES 162.pdf

7.3 Gen. Ord. No. 60-13-14 by Ald. Donohue, Bohren, VanderWeele and Dassler re-establishing the salary schedule for a certain designated elected officials. PASS THE ORDINANCE.

ATTACHMENT: GO 60.pdf

7.4 Gen. Ord. No. 61-13-14 by Ald. Donohue, Bohren, VanderWeele and Dassler establishing the salary range for Temporary/Seasonal employees in the Department of Public Works. PASS THE ORDINANCE.

ATTACHMENT: GO 61.pdf

8. ADJOURN SINE DIE

8.1 Motion to adjourn sine die.

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