

REGULAR COMMON COUNCIL MEETING - 6:00 PM

"COURAGE IS WHAT IT TAKES TO STAND UP AND SPEAK. COURAGE IS ALSO WHAT IT TAKES TO SIT DOWN AND LISTEN." ~ Winston Churchill

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Notice of the 20th meeting of the 2013-2014 Common Council at 6:00 p.m., MONDAY, January 20, 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

ATTACHMENT: RESIGNATION.pdf

- 1.5 COUNCIL APPOINTMENTS

ATTACHMENT: APPOINTMENTS.pdf

- 1.6 PUBLIC FORUM
- 1.7 MAYOR'S ANNOUNCEMENTS

**2. HEARINGS**

2.1 To establish the Use District Classification of recently annexed property located at the SW corner of N. 36th St. and Wilgus Ave. as Class SC Suburban Commercial Classification.

ATTACHMENT: Hearing N. 36th and Wilgus.pdf

2.2 To change the Use District Classification of property located at 1539 N. 33rd Pl. from Class UR Urban Residential to Class SO Suburban Office Classification.

ATTACHMENT: Hearing 1539 N. 33rd Pl.pdf

**3. CONSENT AGENDA**

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

ATTACHMENT: Grant licenses.pdf

3.2 An R. O. by the Chief Administrative Officer submitting the 2015 Budget Schedule. ACCEPT AND FILE.

ATTACHMENT: 2015 budget schedule.pdf

3.3 An R. C. by Law & Licensing recommending granting various licenses. ACCEPT AND ADOPT.

ATTACHMENT: RO 219-13-14.pdf

3.4 An R. O. by the City Plan Commission recommending filing document submitting a communication from Nsight regarding telecommunication facilities with residentially zoned districts. ACCEPT AND FILE

ATTACHMENT: RO 234.pdf

3.5 An R. O. by the City Plan Commission authorizing the purchase of 812 New Jersey Ave. for the purposes of adding to the adjacent City of Sheboygan owned development site. ACCEPT AND FILE AND PASS RESOLUTION

ATTACHMENT: RES 111.pdf

3.6 An R. O. by the City Plan Commission recommending changing the Use District Classification of property located at 1539 N. 33rd St. from UR-12 to SO Suburban Office. ACCEPT AND FILE AND PASS ORDINANCE

ATTACHMENT: GO 48.pdf

3.7 An R. C. by Law and Licensing recommends granting the Taxicab Operator's license upon the application being corrected, and with a warning to include all violations on future applicaitons. ACCEPT AND ADOPT.

ATTACHMENT: RO 211-13-14.pdf

3.8 An R. O. by the City Plan Commission recommending authorizing the sale of City-owned property formerly known as 1014 and 1016 Erie Ave. ACCEPT AND FILE AND PASS RESOLUTION

ATTACHMENT: RES 121.pdf

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

ATTACHMENT: RO 187-13-14.pdf

3.10 An R. C. by Public Works executing a one-year lease for the agricultural property in the Town of Wilson, formerly owned by John Poth Jr. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: Res 114.pdf

3.11 An R. C. by Public Works authorizing the construction of the federally funded non-motorized traffic calming projects at various locations throughout the City. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: Res 115.pdf

3.12 An R. C. by Public Works authorizing advertising for bids for the Water Street Park retaining wall repair. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: Res 116.pdf

3.13 An R. C. by Public Works executing a one-year lease for agricultural property in the City of Sheboygan. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: res 117.pdf

3.14 An R. C. by Public Protection and Safety recommending filing document submitting a communication from Ron Seefeldt requesting impacted parking for his vehicle and stating that the Police Dept. will do an impact study. ACCEPT AND ADOPT

ATTACHMENT: RO 224.pdf

3.15 An R. C. by Public Protection and Safety recommending designating the City's Emergency Management Director and developing the process for annually updating the City's Emergency Management Plan. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 123.pdf

3.16 An R. C. by Public Protection and Safety recommending adopting the Sheboygan County, Wisconsin Hazard Mitigation Plan Update. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 113.pdf

#### **4. COMMUNICATIONS AND PETITIONS**

4.1 A Communication from Jodi VanderWeele regarding concerns with the parking restrictions on N. 8th St. between the previous Noah's Ark and the corner of N. 8th St. and Bluff Ave. PUBLIC PROTECTION AND SAFETY.

ATTACHMENT: Jodi VanderWeele.pdf

#### **5. REPORTS OF OFFICERS**

5.1 An R. O. by the City Plan Commission recommending vacating and discontinuing the remaining 40' of New York Ave. right-of-way from the west line of N. Water St. to the east bank of the Sheboygan River. LIES OVER TO MARCH 3RD

ATTACHMENT: RES 110.pdf

5.2 An R. O. by Building Inspection submitting the report of the Building Inspection Department for the months of October, November, December and year end for 2013. PUBLIC PROTECTION AND SAFETY.

ATTACHMENT: Bldg. Insp..pdf

5.3 An R. O. by City Clerk submitting a communication from Mi-Tech on behalf of St. Nicholas Hospital requesting an encroachment on City of Sheboygan road right-of-way in order to construct a private fiber network among the area's health cares. CITY PLAN COMMISSION.

ATTACHMENT: Mi-Tech.pdf

5.4 An R. O. by the City Clerk submitting a communication from ExteNet, Inc., requesting an encroachment upon portions of N. 18th St. and Erie Ave. for the purpose of installation of new underground conduit structures for fiber optic cable. CITY PLAN COMMISSION

ATTACHMENT: N. 18TH AND ERIE AVE.pdf

5.5 An R. O. by the City Clerk submitting a Summons and Complaint in the matter of Donald W. Keniston vs. City of Sheboygan et al. FINANCE

ATTACHMENT: SUMMONS AND COMPLAINT.pdf

5.6 An R. O. by the City Clerk submitting a communication from Randall Martinek requesting a waiver from the Sex Offender Residency restrictions in order to be placed in a TLP at 1123/1125 N. 14th St. or 930A Michigan Ave. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: MARTINEK.pdf

5.7 An R. O. by City Clerk submitting a communication from George Harris requesting a waiver from the Sex Offender Residency restrictions in order to live at 1633 Heller Ave. PUBLIC PROTECTION AND SAFETY.

ATTACHMENT: George Harris.pdf

## **6. RESOLUTIONS**

6.1 A Resolution by Alderperson Hammond authorizing combining City of Sheboygan Wards 2, 3 and 12 for the upcoming Primary Election on February 18, 2014. PASS THE RESOLUTION.

ATTACHMENT: Primary Election.pdf

6.2 A Resolution by Alderpersons Hammond, VanderWeele, Heidemann, Donohue and Carlson approving the FY 2014 One-Year Annual Action Plan for the Community Development Block Grant (CDBG) Program Submission. SUSPEND AND PASS THE RESOLUTION.

ATTACHMENT: CDBG.pdf

6.3 A Resolution by Ald. Heidemann authorizing advertising for bids for the 2014 Concrete Sidewalk Program. PUBLIC WORKS

ATTACHMENT: BIDS CONCRETE SIDEWALK.pdf

6.4 A Resolution by Ald. Heidemann authorizing advertising for bids for the sanitary sewer relay of N. 20th St. from Cleveland Ave. to Geele Ave. PUBLIC WORKS

ATTACHMENT: BIDS FOR SANITARY SEWER.pdf

6.5 A Resolution by Ald. Heidemann to declare the second Saturday in May, International Migratory Bird Day. PUBLIC WORKS.

ATTACHMENT: BIRD DAY.pdf

6.6 A Resolution by Alderperson Heidemann authorizing the appropriate City Officials to enter into contract with Spectrum Lighting, LTD, for the purposes of supplying replacement light poles at the Sheboygan Business Center. PUBLIC WORKS.

ATTACHMENT: Spectrum.pdf

## **7. REPORTS OF COMMITTEES**

7.1 An R. C. by Law and Licensing recommends that the Beverage Operator's license #0237 be denied based upon her failure to accurately reveal all convictions on her Beverage Operator's license application and her record of violations related to the licensed activity. ACCEPT AND ADOPT.

ATTACHMENT: RO 199-13-14.pdf

7.2 An R. C. by Strategic Fiscal Plan Committee authorizing taking the appropriate steps to seek to participate as a signatory in the Green Tier Charter for Legacy Communities, recommends the Substitute Resolution be passed. ACCEPT AND ADOPT AND PASS THE SUBSTITUTE RESOLUTION.

ATTACHMENT: SUB 62-13-14.pdf

7.3 An R. C. by Salaries and Grievances recommending amending Sect. 29-75 of the 1975 Sheboygan Municipal Code so as to add/change/delete various positions of the Table of Organization and pass the attached Substitute Ordinance which includes the changed job description of the Fire Chief. ACCEPT AND ADOPT AND PASS SUBSTITUTE ORDINANCE

ATTACHMENT: SUBS GO 47.pdf

## **8. ORDINANCES**

8.1 An Ordinance by Ald. VanderWeele and Van Akkeren amending Gen. Ord. No. 17-13-14 granting ExteNet Systems, Inc., the privilege of encroaching on portions of City right-of-way for installing fiber optic cable in order to correct the description. LIES OVER

ATTACHMENT: AMEND GO 17.pdf

8.2 An Ordinance by Ald. Thiel and Lewandoske granting St. Nicholas Hospital, its successors and assigns, the privilege of encroaching upon described portions of City of Sheboygan road right-of-way located in the area of Superior Ave. and N. Taylor Dr. in the City of Sheboygan for the purpose of constructing a private fiber network among the area's health cares. CITY PLAN COMMISSION.

ATTACHMENT: GO St Nicholas.pdf

8.3 An Ordinance by Ald. Thiel and Lewandoske granting ExteNet Systems, Inc., the privilege of encroaching on portions of N. 18th St. and Erie Ave. in the City of Sheboygan for the purpose of installation of new underground conduit structures for fiber optic cable. CITY PLAN COMMISSION

ATTACHMENT: ExteNet Systems, Inc. encroachment.pdf

## **9. MATTERS LAID OVER**

9.1 R. O. No. 197-13-14 by City Plan Commission recommending establishing Use District Classification of recently annexed property owned by DHP, LLC at the SW corner of N. 36th St. and Wilgus Ave. to SC Suburban Commercial. ACCEPT AND FILE AND PASS ORDINANCE

ATTACHMENT: RO 197-13-14.pdf

9.2 R. O. No. 216-13-14 by the Director of Planning & Development recommending filing communication from Office Service Company, LLC in regards to their interest in purchasing an additional 3.7 acre parcel of land in the Sheboygan Business Center for future building expansions. ACCEPT AND ADOPT

ATTACHMENT: RO 216-13-14.pdf

9.3 R. O. No. 217-13-14 by the Director of Planning & Development requesting accepting \$117,000 in sponsorship contribution towards the 2014, 2015 and 2016 City's Independence Day Celebration from Johnsonville Sausage, LLC. ACCEPT AND

ADOPT

ATTACHMENT: RO 217-13-14.pdf

9.4 Res. No. 120-13-14 by Ald. Hammond authorizing the sale of approx. 3.7 acres of land in the Sheboygan Business Center to Office Service Company, LLP.  
PASS RESOLUTION

ATTACHMENT: Res. No. 120-13-14.pdf

**10. OTHER MATTERS**

**11. CONVENE CLOSED SESSION**

11.1 MOTION TO CONVENE IN CLOSED SESSION under the exemption contained in Sec. 19.85(1)(e) Wis. Stats. where competitive or bargaining reasons require a closed session for the purpose of deliberating regarding long-term strategy regarding city-owned property known as the Armory.

**12. RECONVENE IN OPEN SESSION**

12.1 A Resolution by Alderpersons Hammond, Carlson, Heidemann, VanderWeele and Donohue authorizing the purchasing agent to prepare and issue a request for proposals for the adaptive re-use and/or redevelopment of the Former Armory at 516 Broughton Drive. PASS RESOLUTION

ATTACHMENT: res armory.pdf

**13. ADJOURN**

13.1 Motion to adjourn

**14. MINUTES**

14.1 Minutes from Council meeting 01-20-2014

ATTACHMENT: Common Council minutes 01-20-2014.pdf

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