

REGULAR COMMON COUNCIL MEETING

"Leadership is the art of getting someone else to do something you want done because he wants to do it." Dwight Eisenhower

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Notice of the 16th meeting of the 2013-2014 Common Council at 7:00 p.m., MONDAY, November 18, 2013, 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 PROGRAM - John Doll, Ex. Director Sheboygan County United Way - 2013 United Way Campaign

1.5 PROGRAM - Gary Dulmes, SCEDC President, 2013 Annual Meeting Report

1.6 PUBLIC FORUM

1.7 MAYOR'S ANNOUNCEMENTS

**2. CONSENT AGENDA**

2.1 An R. O. by the Bd. of Water Commissioners submitting their report on the Water Utility for the 3rd quarter of 2013. ACCEPT AND FILE

ATTACHMENT: BD OF WATER 3RD QUARTER.pdf

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

ATTACHMENT: GRANT LICENSES - MILITARY HERITAGE.pdf

2.3 An R. O. by the City Clerk submitting the Tax Levy Certification for the Wis. Dept. of Public Instruction for the Sheboygan Area School District for the 2013-2014 School Year. ACCEPT AND FILE

ATTACHMENT: TAX LEVY SASD.pdf

2.4 An R. O. by the City Clerk submitting the Tax Levy Certification for the Wis. Dept. of Public Instruction for the Kohler School District for the 2013-2014 School Year. ACCEPT AND FILE

ATTACHMENT: TAX LEVY KOHLER.pdf

2.5 An R. O. by the City Clerk submitting a communication from Sheboygan County submitting the apportionment sheets for levying and apportioning the tax

for Sheboygan County. FINANCE

ATTACHMENT: county tax levy.pdf

2.6 A Resolution by Ald. Lewandoske and Thiel directing a public hearing in connection with a change in the Zoning Map to establish the Use District Classification of recently annexed property at the southwest corner of N. 36th St. and Wilgus Ave. PASS RESOLUTION

ATTACHMENT: public hearing N. 36th and Wilgus.pdf

2.7 A Resolution by Ald. Hammond and Lessard directing a public hearing in connection with a change of the Zoning Map to establish the Use District Classification of recently annexed property located at 4108 S. 18th St. PASS RESOLUTION

ATTACHMENT: PUBLIC HEARING S 18TH.pdf

2.8 A Resolution directing a public hearing to be held in connection with a change in the text of the Zoning Ordinance to change Subsection 15.936(1) relating to fees. PASS RESOLUTION

ATTACHMENT: Public Hearing fees.pdf

2.9 An R. C. by Public Works recommending filing communication from Matt Bremser in regards to the use of garbage and recycling containers for residents to use for garbage collection. ACCEPT AND ADOPT

ATTACHMENT: COM 20.pdf

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

ATTACHMENT: LICENSES FANSLAU.pdf

2.11 An R. C. by Public Protection and Safety recommending filing document submitting a communication from Jefferson Elementary School asking that the "No Parking" signs on 15th and 16th Streets be removed for safety of the students, parents and staff. ACCEPT AND ADOPT

ATTACHMENT: RO 156.pdf

2.12 An R. C. by Public Protection and Safety recommending filing document submitting the Chief of Police's quarterly report showing the activities of the department for July 1 - Sept. 30, 2013. ACCEPT AND ADOPT

ATTACHMENT: RO 168.pdf

2.13 An R. C. by Public Protection and Safety recommending filing document submitting the Fire Chief's quarterly report for July - Sept. 20, 2013. ACCEPT AND ADOPT

ATTACHMENT: RO 169.pdf

2.14 An R. C. by Finance recommending filing document submitting a communication from the Bd. of Water Commissioners reporting that it has submitted an application to the Public Service Commission (PSC) of Wis. to increase water rates effective in early 2014. ACCEPT AND ADOPT

ATTACHMENT: RO 173-13-14(Nov. 4, 2013).pdf

2.15 An R. C. by Finance recommending filing document submitting a communication from the Bd. of Water Commissioners reporting that it intends to apply for a State of Wis. Safe Drinking Water Loan. ACCEPT AND ADOPT

ATTACHMENT: RO 174-13-14(Nov. 4, 2013).pdf

2.16 An R. C. by Finance recommending approving the request for 3 free days at Blue Harbor Convention Center for Rockets for Schools in May, 2014. ACCEPT AND ADOPT

ATTACHMENT: RO 175-13-14(Nov. 4, 2013).pdf

2.17 An R. C. by Public Works recommending filing document submitting a communication from Rockets for Schools requesting 3 of the City's free days at Blue Harbor Convention Center for their 2014 event and requesting support from Police, Fire and Public Works and approving the request for Public Works support. ACCEPT AND ADOPT

ATTACHMENT: RO 175-13-14(Nov. 4, 2013).pdf

2.18 An R. C. by Public Protection and Safety recommending approving request for Police and Fire support for the Rockets for Schools event in May 2014. ACCEPT AND ADOPT

ATTACHMENT: COPY OF RO 175 - PP&S.pdf

2.19 An R. C. by Public Works recommending filing document submitting a communication from The Green Room Pub on behalf of The Gateway to Sheboygan Group, requesting that the group be granted access to hang lanterns on trees and/or businesses in the Indiana Ave. and South Pier areas the week before Christmas with the compliance of the staff direction. ACCEPT AND ADOPT

ATTACHMENT: RO 178.pdf

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

ATTACHMENT: LICENSES VIOLETTI.pdf

2.21 An R. C. by Public Works recommending entering into contract with Miller & Associates of Sauk Prairie for the purposes of supplying and installing new playground equipment at Cleveland and Roosevelt Parks. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RC - Res 80.pdf

2.22 An R. C. by Public Protection and Safety recommending repealing Gen. Ord. No. 104-71-72 due to the closure of the Washington School for Comprehensive Literacy. ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: GO 35.pdf

2.23 An R. C. by Public Protection and Safety recommending repealing Gen. Ord. No. 126-82-83, which established a traffic control signal, and instead requiring all traffic to stop at the intersection of Geele Ave. and N. 13th St. ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: GO 36.pdf

2.24 An R. C. by Public Protection and Safety recommending repealing Gen. Ord. No. 66-95-96 prohibiting left turns from eastbound Geele Ave. entering the driveway at Washington School. ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: GO 37.pdf

2.25 An R. C. by Public Works recommending amending Sec. 122-403, 122-404 and 122-405 of the Municipal Code relating to sewers and sewerage disposal. ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: GO 40.pdf

### **3. COMMUNICATIONS AND PETITIONS**

3.1 A Communication from Jean Baumann stating her concerns regarding an alleged sex offender living next to a day care. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: BAUMANN.pdf

### **4. REPORTS OF OFFICERS**

4.1 An R. O. by the Purchasing Agent submitting a report relative to the proposed purchase of (4) 2013 Model Peterbilt trash collection chassis with Heil truck bodies. SUSPEND AND ACCEPT AND FILE

ATTACHMENT: TRASH TRUCK.pdf

4.2 An R. O. by the City Clerk submitting a claim from Gary Reinemann for alleged damages to his vehicle when the suction hose broke loose from the leaf collector truck and struck his truck. FINANCE

ATTACHMENT: CLAIM REINEMANN.pdf

4.3 An R. O. by the Purchasing Agent submitting bids for the purchase of 5 Police Dept. patrol cars. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: RO BIDS FOR PATROL CARS.pdf

4.4 An R. O. by the City Clerk submitting a communication from Mumin Abd-Allah requesting a waiver from the Sex Offender Residency restrictions in order to live at 908 High Ave. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: Abd-Allah.pdf

4.5 An R. O. by the City Clerk submitting a communication from Habitat for Humanity for their Lakeside Shantytown event in May 2014 to be held in Fountain Park. PUBLIC WORKS

ATTACHMENT: habitat.pdf

### **5. RESOLUTIONS**

5.1 A Resolution by Ald. Hammond authorizing entering into contract with Buteyn-Peterson and Sigma Environmental in order to fill the floodplain on the former Schuchardt property. SUSPEND AND PASS RESOLUTION

ATTACHMENT: BUTEYN.pdf

5.2 A Resolution by Ald. Heidemann authorizing entering into contract for

the purchase of (4) Tandem Axle Curbside Trash Collection trucks with split packer bodies. SUSPEND AND PASS RESOLUTION

ATTACHMENT: RES TRASH TRUCKS.pdf

5.3 A Resolution by Ald. Hammond authorizing a transfer of appropriations in the 2013 Budget (establish appropriation for purchase and demolition of 812 New Jersey Ave.) FINANCE

ATTACHMENT: TRANSFER RES NEW JERSEY.pdf

5.4 A Resolution by Ald. Hammond accepting a deed from the Redevelopment Authority of a parcel of land along the Sheboygan River. FINANCE

ATTACHMENT: DEED - RDA.pdf

5.5 A Resolution by Ald. Carlson authorizing entering into contract for the purchase of 5 Police Dept. patrol duty Police Interceptor All wheel drive vehicles. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: RES PATROL CARS.pdf

5.6 A Resolution by Ald. Heidemann being a Relocation Order of the City of Sheboygan, Sheboygan County, Wisconsin. PUBLIC WORKS

ATTACHMENT: RELOCATION ORDER RES.pdf

ATTACHMENT: RELOCATION ORDER MAPS.pdf

5.7 A Resolution by Ald. Heidemann authorizing advertising for bids for the Pennsylvania Ave. siphon modifications. PUBLIC WORKS

ATTACHMENT: PENN AVE SIPHON.pdf

5.8 A Resolution by Ald. Donohue authorizing entering into contract with United Health Care (UMR) to provide administration services for the City's medical health benefit plan for calendar year 2014. SALARIES AND GRIEVANCES

ATTACHMENT: UMR.pdf

5.9 A Resolution by Ald. Donohue authorizing entering into contract with Delta Dental to administer dental benefit plan services for the City for calendar year 2014. SALARIES AND GRIEVANCES

ATTACHMENT: Dental.pdf

5.10 A Resolution by Ald. Donohue authorizing entering into an agreement with Diversified Benefit Services, Inc., to administer the Flexible Benefit Plan for the period January 1, 2014 through December 31, 2014. SALARIES AND GRIEVANCES

ATTACHMENT: Diversified.pdf

5.11 A Resolution by Ald. Donohue authorizing entering into contract with Symetri Stop Loss Insurance Coverage effective January 1, 2014. SALARIES AND GRIEVANCES

ATTACHMENT: Symetri.pdf

## **6. REPORTS OF COMMITTEES**

6.1 An R. C. by Law and Licensing recommending granting Alcohol Beverage License No. 2969 (Hacienda Vieja) an extension until Jan. 22, 2014 to open for business. ACCEPT AND ADOPT

ATTACHMENT: MENDEZ EXTENSION.pdf

6.2 An R. C. by Salaries and Grievances recommending filing Res. No. 81-13-14 by Ald. Bohren calling for an update and review of the compensation package for City of Sheboygan Fire Chief on the basis that in 2012 the City updated the compensation package for all non-represented employees and under the plan, the salary grade for the Fire Chief is a Grade 15, Minimum \$91,037, Midpoint \$113,797, to a Maximum of \$136,556. ACCEPT AND ADOPT

ATTACHMENT: RES 81.pdf

6.3 An R. C. by Finance recommending authorizing a transfer of appropriations in the 2013 Budget (establish revenue and appropriations for Industrial Park Land improvements utilizing proceeds of land sale). PASS RESOLUTION

ATTACHMENT: Res 78-13-14(Nov. 4, 2013).pdf

6.4 An R. C. by Finance recommending authorizing a transfer of appropriations in the 2013 Budget (establish appropriation for advance to TID No. 15 for development incentive to be repaid with interest from future increments). PASS RESOLUTION

ATTACHMENT: Res. 79-13-14(Nov. 4, 2013).pdf

6.5 An R. C. by Public Works recommending referral of document submitting a communication from the Hmong Mutual Assistance Association of Sheboygan, Inc., requesting approval from the Council to post three banners for the 2013 Hmong New Year at various locations. CITY PLAN COMMISSION

ATTACHMENT: RO 179.pdf

## **7. ORDINANCES**

7.1 An Ordinance by Ald. Carlson providing that the court cost collected by the municipal court shall be increased to \$38. SUSPEND AND PASS ORDINANCE

ATTACHMENT: COURT COSTS.pdf

7.2 An Ordinance by Ald. Donohue, Dassler, Hammond and VanderWeele repealing and recreating Sec. 29-3 of the 1975 Sheboygan Municipal Code relating to residency. LIES OVER

ATTACHMENT: RESIDENCY.pdf

7.3 An Ordinance by Ald. Hammond and Lessard amending the Zoning Map of the Sheboygan Zoning Ordinance to establish the Use District Classification of recently annexed property located at 4108 S. 18th St. CITY PLAN COMMISSION

ATTACHMENT: map for city-town dog park.pdf

ATTACHMENT: ZONE MAP S 18TH ST.pdf

7.4 An Ordinance by Ald. Lewandoske and Thiel amending the Zoning Map of the Sheboygan Zoning Ordinance to establish the Use District Classification of recently annexed property located at the southwest corner of N. 36th St. and

Wilgus Ave. CITY PLAN COMMISSION

ATTACHMENT: map for N. 36th St. and Wilgus Ave..pdf

ATTACHMENT: ZONE MAP N 36TH ST.pdf

7.5 An Ordinance by Ald. Versey amending Subsection 15.936(1) of the City of Sheboygan Zoning Ordinance relating to fees. CITY PLAN COMMISSION

ATTACHMENT: ZONING FEES.pdf

## **8. MATTERS LAID OVER**

8.1 Res. 76-13-14 by Alderpersons Carlson and Versey approving the Capital Improvements Program recommended by the Capital Improvements Commission, for the program period of 2013 and adopting the program for implementationl. PASS THE RESOLUTION.

ATTACHMENT: Res 76-13-14.pdf

8.2 Res. 77-13-14 by Alderpersons Hammond, Carlson, Belanger, Heidemann and Dassler to implement a Post-Issuance Compliance Policy for Tax-Exempt and Tax-Advantaged Obligations and Continuing Disclosure for the City of Sheboygan. PASS RESOLUTION

## **9. OTHER MATTERS**

### **10. CONVENE CLOSED SESSION**

10.1 MOTION TO CONVENE IN CLOSED SESSION under the exemption provided in Sec. 19.85(1)(e), Wis. Stats., for the purpose of deliberating regarding the proposals for management of the Harbor Centre Marina, where competitive and bargaining reasons require a closed session."

10.2 MOTION TO CONVENE IN CLOSED SESSION under the exemption provided in Sec. 19.85(1)(e), Wis. Stats., for the purpose of deliberating the possible purchase of public property where competitive and bargaining reasons require a closed session.

10.3 MOTION TO CONVENE IN CLOSED SESSION under the exemption provided in Sec. 19.85 (1)(g) for the purpose of conferring with legal counsel for the City who is rendering oral or written advise concerning strategy to be adopted by the body with respect with litigation in which is or is likely to become involved.

10.4 R. O. No. 161-13-14 by the City Clerk submitting a communication from the State of Wis., Dept. of Workforce Development in regards to the case of Scott Lewandoske vs. the City of Sheboygan.

## **11. ADJOURN**

11.1 Motion to adjourn

## **12. MINUTES 11-18-2013 COUNCIL MEETING**

12.1 MINUTES FROM THE 11-18-2013 COMMON COUNCIL MEETING

ATTACHMENT: MINUTES FROM 11-18-14 COUNCIL MEETING.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 Buildigg

City's website