

REGULAR COMMON COUNCIL MEETING

"All of the great leaders have had one characteristic in common: it was the willingness to confront unequivocally the major anxiety of their people in their time. This, and not much else, is the essence of leadership. ~John Kenneth Galbraith

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Notice of the 13th meeting of the 2013-2014 Common Council at 7:00 p.m., MONDAY, October 7, 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 RESIGNATIONS
- 1.5 COUNCIL APPOINTMENTS
- 1.6 PUBLIC FORUM
- 1.7 MAYOR'S ANNOUNCEMENTS

**2. HEARINGS**

2.1 Pursuant to a notice published by the Finance Director, per Sec. 65.90(4), Wis. Stats., there is a public hearing scheduled for this evening at which any resident or taxpayer of the governmental unit shall have an opportunity to be heard on the proposed budget.

ATTACHMENT: Hearing.pdf

**3. CONSENT AGENDA**

3.1 An R. O. by City Attorney submitting, as a matter of record, the Easement (mini-storm sewer) for Paul A. and Diana C. Neils has been recorded in the Sheboygan County Register of Deeds Office. ACCEPT AND FILE.

ATTACHMENT: R.O.-recorded mini-storm easement-Neils.doc

3.2 An R. O. by City Attorney submitting, as matter of record, various Easements (mini-storm sewer), executed in accordance with Res. No. 34-13-14, which have been recorded in the Sheboygan County Register of Deeds Office. ACCEPT AND FILE.

ATTACHMENT: ro - 3 easments.pdf

3.3 An R. O. by the City Clerk submitting various license applications. ACCEPT AND FILE.

ATTACHMENT: Grant Licenses.pdf

3.4 An R. O. by the Bd. of Contractors Examiners submitting Building Contractor Licenses that have been granted. ACCEPT AND FILE

ATTACHMENT: Bd. of Contractors.pdf

3.5 An R. O. by City Plan Commission recommending filing document submitting a communication from Kevin Fetterer of 4th Street Tap inquiring about purchasing a portion of the parking lot of the Armory, east side of the alley to 4th Street. ACCEPT AND FILE

ATTACHMENT: R. O. No. 133-13-14.pdf

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

ATTACHMENT: El Valle.pdf

3.7 An R. C. by Law and Licensing submitting license applications for the period ending June 14, 2014 and June 30, 2015; recommends granting Beverage Operator's license #0104 contingent upon the application being corrected and with a warning to include all violations on future applications. ACCEPT AND ADOPT.

ATTACHMENT: Kumbalek.pdf

3.8 An R. C. by Law and Licensing, pursuant to R. O. 122-13-14, submitting license applicaitons for the period ending June 30, 2014 and June 30, 2015, recommends that various licenses be granted contingent upon application being corrected. ACCEPT AND ADOPT.

ATTACHMENT: Cesario.pdf

3.9 An R. C. by Salaries and Grievances recommending filing document submitting a communication from Ald. Bohren being an article from the Milwaukee Journal/Sentinal entitled, "Job-based health costs grow.". ACCEPT AND ADOPT

3.10 An R. C. by Salaries and Grievances recommending establishing the monthly premium equivalent rates for the Medical Benefit Plan effective for January 2014 coverage. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 61-13-14.pdf

3.11 An. R. C. by Salaries and Grievances recommending filing Resolution to increase the contribution for health insurance premiums for the City of Sheboygan elected officials and non-represented employees effective January 2, 2014 and January 1, 2015. ACCEPT AND ADOPT TO FILE RESOLUTION

ATTACHMENT: RES 47-13-14.pdf

3.12 An R. C. by Public Protection and Safety submitting Com. 17-13-14 from Jane Weber requesting a "No Dogs Allowed" sign at the end of Indiana Ave. ACCEPT AND ADOPT.

ATTACHMENT: com 17.pdf

3.13 An R. C. by Public Protection and Safety submitting Com. 18-13-14 from

Patricia Hornes stating that she is concerned that Sheboygan no longer has a target range in the basement of Urban Middle School for her or others to have any shooting practice. ACCEPT AND ADOPT.

ATTACHMENT: com 18.pdf

3.14 An R. C. by Public Protection and Safety authorizing the appropriate City Officials to submit an application for the Wisconsin Depart of Justice Heroin Initiative 2013 and administer the grant if awarded. ACCEPT AND ADOPT.

ATTACHMENT: res 56.pdf

3.15 An R. C. by Public Protection and Safety authorizing the Sheboygan Police Department to submit a grant application to the American Automobile Association for the purchase of an intoxiclock device. ACCEPT AND ADOPT.

ATTACHMENT: res 57.pdf

3.16 An R. C. by Public Protection and Safety submitting R. O. 143-13-14 and Res. 59-13-14 for the purchase of one 4WD Pickup for the Fire Department. ACCEPT AND ADOPT.

ATTACHMENT: ro 143.pdf

3.17 An R. C. by Public Protection and Safety submitting G. O. 24-13-14 creating section 118-137 of the Municipal Code, entitled "Trailer Parking," so as to prohibit overnight parking of trailers in the city. ACCEPT AND ADOPT.

ATTACHMENT: go 24.pdf

3.18 An R. C. by Public Protection and Safety submitting G. O. 25-13-14 amending various portions of Chapter 26 of the Municipal Code relating to establishment of new fees for permits issued by the Building Inspection Division of the City of Sheboygan. ACCEPT AND ADOPT.

ATTACHMENT: go 25.pdf

3.19 An R. C. by Public Protection and Safety submitting G. O. 26-13-14 requiring east and westbound traffic on Arizona Ave. and Elm Ave. to stop at S. 21st St. ACCEPT AND ADOPT.

ATTACHMENT: go 26.pdf

3.20 An R. C. by Public Protection and Safety submitting G. O. 27-13-14 creating a no parking, stopping, standing zone on the sout side of Cooper Ave. west of N. 20th St. ACCEPT AND ADOPT.

ATTACHMENT: go 27.pdf

3.21 An R. C. by Public Protection and Safety submitting G. O. 28-13-14 creating a no parking zone from 7 a.m. until 4 p.m. on school days on the north side of Cooper Ave. west of N. 20th St. ACCEPT AND ADOPT.

ATTACHMENT: go 28.pdf

3.22 An R. C. by Public Protection and Safety submitting G. O. 29-13-14 creating a no parking zone effective December 1st through April 1st on the sout side of Ontario Ave. west of N. 14th St. ACCEPT AND ADOPT.

ATTACHMENT: go 29.pdf

3.23 An R. C. by Public Protection and Safety submitting G. O. 30-13-14 creating a no parking zone in the alley north of Jefferson Ave. and south of Pennsylvania Ave. between S. 9th St. and Water St. ACCEPT AND ADOPT.

ATTACHMENT: go 30.pdf

3.24 An R. C. by Public Protection and Safety submitting G. O. 31-13-14 creating a no parking zone on the west side of S. 24th St. south of Union Ave. ACCEPT AND ADOPT.

ATTACHMENT: go 31.pdf

3.25 An R. C. by Public Protection and Safety submitting G. O. 32-13-14 creating a no parking zone on the north side of Union Ave. between S. 26th St. and S. 25th St. ACCEPT AND ADOPT.

ATTACHMENT: go 32.pdf

3.26 An R. C. by Public Works recommending entering into contract for the purchase of one (1) 4WD Pickup Truck for the Dept. of Public Works. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RO 144.pdf

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

4.1 An R. O. by the Director of Planning and Development submitting the 2014 Harbor Centre Business Improvement District Statement of Purpose, Operating Plan and 2014 BID Operating Budget. FINANCE.

ATTACHMENT: BID Budget.pdf

4.2 An R. O. by Director of Planning and Development submitting the 2014 City of Sheboygan Tourism budget request from the Sheboygan County Chamber of Commerce for Room Tax Profit and Loss, and related documents. FINANCE

ATTACHMENT: Tourism Budget.pdf

4.3 An R. O. by the City Clerk submitting a claim from Phyllio Toniolo for alleged damages at 1128 Geele Ave. due to a tree owned by the City falling on her property and damaging the rain gutter. FINANCE

ATTACHMENT: RO - CLAIM.pdf

4.4 An R. O. by the City Clerk submitting a communication from Midlake Softball Organization in regards to the contract for the Wildwood Softball Complex. PUBLIC WORKS.

ATTACHMENT: RO - Midlake.pdf

4.5 An R. O. by the City Clerk submitting a communication from Edwin L. Fritz requesting a waiver to the Sex Offender Residency restrictions in order to live at 2610D Cross Creek Dr. PUBLIC PROTECTION AND SAFETY.

ATTACHMENT: FRITZ.pdf

4.6 An R. O. by the City Clerk submitting a communication from the Principal of Jefferson Elementary School asking the "No Parking" signs on 15th and 16th Street be removed for safety of the students, parents and staff members. PUBLIC PROTECTION AND SAFETY.

ATTACHMENT: ro - jefferson.pdf

4.7 An R. O. by the City Clerk submitting a communication from James Gerke requesting a waiver to the Sex Offender Residency restrictions in order to live at 1416 S. 9th St. PUBLIC PROTECTION AND SAFETY.

ATTACHMENT: GERKE.pdf

4.8 An R. O. by the City Clerk submitting a communication from the State of Wisconsin, Department of Workforce Development in regards to the case of Scott Lewandoske vs. the City of Sheboygan. SALARIES AND GRIEVANCES.

ATTACHMENT: ro - lewandoske.pdf

4.9 An R. O. by the City Clerk submitting a communication from Dorothy Lynds concerning the lack of benches on North Point Drive. PUBLIC WORKS.

ATTACHMENT: lynds.pdf

4.10 An R. O. by the City Clerk submitting a claim from Dawn Moore for alleged damages to her vehicle. FINANCE.

ATTACHMENT: moore.pdf

## **5. RESOLUTIONS**

5.1 A Resolution by Alderperson Hammond authorizing the Mayor to execute the Settlement Agreement with Walgreens regarding the property assessments for the three Sheboygan Walgreens stores for tax years 2010-2013. SUSPEND AND PASS RESOLUTION.

ATTACHMENT: Res - Walgreens.pdf

5.2 A Resolution by Alderperson VanderWeele authorizing the City Attorney to engage the services of special outside legal counsel to represent the Law & Licensing Committee and Common Council with regard to a quasi-judicial hearing regarding the suspension/revocation of Taxicab Operator License No. 4943, and authorizing payment for said services. SUSPEND AND PASS RESOLUTION.

ATTACHMENT: res - outside legal.pdf

5.3 A Resolution BY Alderperson Hammond authorizing the issuance and sale of up to \$8,974,081 sewerage system revenue bonds, Series 2013A, and providing for other details and covenants with respect thereto. SUSPEND AND PASS RESOLUTION

ATTACHMENT: \$8,974,081 resolution.doc

ATTACHMENT: Financial Assistance Agreement.pdf

5.4 A Resolution by Ald. Hammond authorizing a transfer of appropriations in the 2013 Budget (establish revenue and appropriation for donation from the Jaycees to the Fire Dept.; for chairs at the Senior Center and for Clean Water Fund Program Project). FINANCE.

ATTACHMENT: Transfer Resolution.pdf

5.5 A Resolution by Alderperson Hammond authorizing the appropriate City officials to execute the Dark Fiber License Agreement between ExteNet Systems, Inc., and the City of Sheboygan. FINANCE

ATTACHMENT: res - ExteNet.pdf

5.6 A Resoluton authorizing the appropriate City officials to enter into a revised State/Municipal Agreement for design and construction for the STH 42 Calumet Drive Reconstruction from Main Ave. to N. 26th St. PUBLIC WORKS.

ATTACHMENT: main ave.pdf

## **6. REPORTS OF COMMITTEES**

6.1 An R. C. by Law and Licensing recommending denying Taxicab Operator License #0091 based upon his failure to accurately reveal all convictions on his application, his record of violations related to the licensed activity, and his failure to cooperate with the Committee. ACCEPT AND ADOPT.

ATTACHMENT: Deny #0091.pdf

6.2 An R. C. by Law and Licensing recommending denying Taxicab Operator's License #8913 based upon her failure to accurately reveal all convictions on her application and her record of violations related to the licensed activity. ACCEPT AND ADOPT.

ATTACHMENT: Deny #8913.pdf

6.3 An R. C. by Law and Licensing recommending denying Beverage Operator's License #0119 based upon her record of violations related to the licensed activity. ACCEPT AND ADOPT.

ATTACHMENT: Deny #0119.pdf

6.4 An R. C. by Law and Licensing recommending denying Taxicab Operator License #8147 based upon his failure to accurately reveal all convictions on his application, his record of violations related to the licensed activity, and his failure to cooperate with the Committee. ACCEPT AND ADOPT.

ATTACHMENT: Deny #8147.pdf

6.5 An R. C. by Public Protection and Safety submitting G. O. 23-13-14 relating to parking restrictions to remove two (2) handicapped parking stalls behind City Hall immediately east and west of the back door. ACCEPT AND ADOPT.

ATTACHMENT: go 23.pdf

## **7. OTHER MATTERS**

7.1 A Resolution by Ald. Donohue establishing the monthly premium equivalent rates for the Dental Insurance Plan effective for January 2014 coverage. SALARIES AND GRIEVANCES

ATTACHMENT: Dental Insurance.pdf

7.2 A Resolution by Ald. Donohue authorizing the City to enter into contract for obtaining Medical Stop-Loss Insurance. SALARIES AND GRIEVANCES

ATTACHMENT: STOP LOSS INSURANCE.pdf

7.3 A Resolution by Ald. Hammond authorizing a transfer of appropriations in the 2013 Budget (establishing revenue and appropriations for donations from WalMart for Smoke Detectors; pretreatment at Wastewater Treatment Plant and book purchases from donations for Mead Library). FINANCE

ATTACHMENT: Smoke detectors transfer.pdf

**8. CLOSED SESSION**

8.1 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.

**9. ADJOURN**

9.1 Motion to adjourn

**10. MINUTES FROM THE 10-7-13 COUNCIL MEETING**

10.1 MINUTES FROM THE 10-7-13 COMMON COUNCIL MEETING

ATTACHMENT: MINUTES 10-7-13 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 Building  
City's website