City of Sheboygan 965M7L546353
2013-04-03
REGULAR COMMON COUNCIL MEETING

"IT'S ONE THING TO FEEL THAT YOU ARE ON THE RIGHT PATH, BUT IT'S ANOTHER TO THINK THAT YOURS IS THE ONLY PATH." ~ Paulo CoelhoNotice of the 25th meeting of the 2012-2013 Common Council at 7:00 p.m., WEDNESDAY, APRIL 3, 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 PUBLIC FORUM

1.5 MAYOR'S ANNOUNCEMENTS

2. HEARING
2.1 A Hearing to establish the Use District Classification of annexed lands located west of Taylor Dr. and north of Indiana Ave. as Class PPUD Pre-Planned Unit Development Classification.

ATTACHMENT: Hearing.pdf

3. CONSENT AGENDA
3.1 An R. O. by the Chief of Police thanking the Sheboygan Sudzzer's, a nonprofit club dedicated to the advancement of home brewing and the appreciation of great beer, for their generous donation of $1,000 to support the Sheboygan Police Department's Teddy Bear Program. ACCEPT AND FILE

ATTACHMENT: RO $1,000.pdf

3.2 An R. O. by the City Clerk granting various licenses. ACCEPT AND FILE AND GRANT LICENSES

ATTACHMENT: RO 1MTG.pdf

3.3 An R. O. by the City Atty. submitting, as a matter of record, a copy of the fully executed Multipurpose Trail Intergovernmental Cooperative Agmt. between the City and County regarding the multipurpose bicycle and pedestrian trail. ACCEPT AND FILE

ATTACHMENT: RO - mULTIPURPOSE TRAIL.pdf

3.4 An R. O. by the City Atty. submitting, as a matter of record, a copy of the fully executed Combined Dispatch Intergovernmental Cooperative Agmt. between the City and County regarding dispatch services. ACCEPT AND FILE

ATTACHMENT: RO - COMBINED DISPATCH.pdf

3.5 A Resolution by Ald. Carlson, Versey, Donohue and Matichek declaring intent to exercise the police power to levy special assessments for the replacements of lead and/or galvanized iron water laterals in various streets. PASS RESOLUTION

ATTACHMENT: Preliminary Res..pdf

3.6 An R. C. by Finance recommending filing various documents. ACCEPT AND ADOP

ATTACHMENT: RO 222-12-13.pdf

ATTACHMENT: RO 285-12-13.pdf

ATTACHMENT: RC TO BE FILED.pdf

ATTACHMENT: RO 274-12-13.pdf

ATTACHMENT: RO 127-12-13.pdf

ATTACHMENT: RO 275-12-13.pdf

ATTACHMENT: RO 75-12-13.pdf

ATTACHMENT: RO 58-12-13.pdf

ATTACHMENT: RC 395-11-12.pdf

3.7 An R. C. by Law and Licensing recommending granting a license (Daily). ACCEPT AND ADOPT AND GRANT

ATTACHMENT: Grant license - Daily.pdf

3.8 An R. C. by Finance recommending filing document submitting a claim from Jerry L. Finger for alleged damages to the bottom of his vehicle caused by a pothole and direct City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RC - CLAIM FINGER.pdf

3.9 An R. C. by Finance recommending filing document submitting a claim from Coca Cola Refreshments for alleged damages to their vehicle when they struck a loose manhole cover and lost control and paying the claim in the amount of $2,644.79. ACCEPT AND ADOPT

ATTACHMENT: CLAIM - COCO COLA.pdf

3.10 An R. C. by Pub. Protection and Safety recommending filing various documents. ACCEPT AND ADOPT

ATTACHMENT: RO304.pdf

3.11 An R. C. by Public Works recommending filing various documents. ACCEPT AND ADOPT

ATTACHMENT: RC COPY RO 305.pdf

3.12 An R. C. by Public Works recommending filing document submitting a communication from Mike Miller of EOS Outdoor requesting permission to have rentals of stand-up paddleboards and kayaks at North Beach in Sheboygan. ACCEPT

AND ADOPT AND APPROVE REQUEST

ATTACHMENT: RC - RO 307.pdf

3.13 An R. C. by Law and Licensing recommending granting a license (Steward). ACCEPT AND ADOPT AND GRANT

ATTACHMENT: RO 287 - Steward.pdf

3.14 An R. C. by Law and Licensing recommending granting various licenses - Change of Premises. ACCEPT AND ADOPT AND GRANT

ATTACHMENT: RO 303 - Change of premise.pdf

3.15 An R. C. by Finance recommending the Chief Administrative Officer to enter into contract for data modeling of real property data in the Assessor's Office. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RC RES 163-12-13.pdf

3.16 An R. C. by Finance recommending authorizing the appropriate City Officials to terminate the license agreement with Morrelle Transfer, Inc. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RC RES 165-12-13.pdf

3.17 An R. C. by Salaries and Grievances recommending amending the Municipal Code so as to add various positions to the Finance Dept.'s Table of Organization. ACCEPT AND ADOPT AND PASS ATTACHED SUBSTITUTE ORDINANCE

ATTACHMENT: RC with Subs GO 54.pdf

4. REPORTS OF OFFICERS

4.1 An R. O. by the City Clerk submitting a communication from Rev. Hill, People of Peace, and Tom Contrestan, Veterans for Peace, requesting permission to develop a Peace Garden in the grassy triangle bordered by Michigan Ave., Broughton Dr. and 3rd St. REFER TO PUBLIC WORKS

ATTACHMENT: Peace Garden.pdf

4.2 An R. O. by the City Clerk submitting a communication from Doug Byerly requesting that the number of handicapped parking spots at the Library be increased as about 50% of the time, the existing handicapped parking spots are full. REFER TO TRANSIT

ATTACHMENT: Byerly.pdf

4.3 An R. O. by Building Inspection Dept. submitting their report for February 2013. REFER TO PUBLIC PROTECTION AND SAFETY

ATTACHMENT: RO - BLDG INSP.pdf

4.4 An R. O. by the City Clerk submitting a communication from Jason Rogge requesting a waiver to the Sex Offender Residency restrictions in order to live at 1021 N. 8th St. REFER TO PUBLIC PROTECTION AND SAFETY

ATTACHMENT: RO ROGGE.pdf

4.5 An R. O. by the City Clerk submitting a communication from Linda Voight of Platinum Communities Golden Harbor regarding an ongoing parking issue in the city-owned alley which they are experiencing at their location at 505 S. Water St. REFER TO PUBLIC PROTECTION AND SAFETY

ATTACHMENT: RO LINDA VOIGHT.pdf

4.6 An R. O. by the City Clerk submitting a communication from Robert D. Nytes requesting a waiver from the Sex Offender Residency restrictions in order to live at 2117 N. 10th St. REFER TO PUBLIC PROTECTION AND SAFETY

ATTACHMENT: RO NYTES.pdf

4.7 An R. O. by the Purchasing Agent submitting a cost breakdown for the purchase of one (1) 2013 StarCraft 12 plus 2 Para-transit vehicle. REFER TO FINANCE

ATTACHMENT: RO 2013 STARCRAFT.pdf

4.8 An R. O. by the City Clerk submitting a communication from James D. Turner requesting a waiver from the Sex Offender Residency restrictions in order to live at 1320 N. 16th St. REFER TO PUBLIC PROTECTION AND SAFETY

ATTACHMENT: RO - JAMES TURNER.pdf

5. RESOLUTIONS

5.1 A Resolution by Ald. Hammond SUPPLEMENTING RES. NO. 100-05-06; AWARDING THE SALE OF $3,000,000 WATER UTILITY REVENUE BONDS, SERIES 2013 AND PROVIDING FOR THE PAYMENT OF SAID BONDS AND OTHER DETAILS AND COVENANTS WITH RESPECT THERETO. PASS RESOLUTION

ATTACHMENT: Res 167-12-13.pdf

5.2 A Resolution by Ald. Heidemann, Bohren, Wangemann and Belanger authorizing the Dir. of Public Works to sign the Federal Fish & Wildlife Permit Application Form for Migratory Bird Depredation Permit to control Canadian Geese at various parks and stormwater ponds owned by the City and County. PASS RESOLUTION

ATTACHMENT: RES FEDERAL FISH & WILDLIFE.pdf

5.3 A Resolution by Ald. Kath authorizing the taking of 1132 Alabama Ave., a residential property, in lieu of satisfaction of two Community Development Block Grant Housing Rehabilitation loans totaling $18,455. REFER TO FINANCE

ATTACHMENT: RES - 1132 ALABAMA AVE.pdf

5.4 A Resolution by Ald. Hammond authorizing the appropriate City Officials to enter into a contract for the purchase of One (1) 12 + 2 Passenger Para-Transit Buss. REFER TO FINANCE

ATTACHMENT: RES pARA-TRANSIT BUS.pdf

5.5 A Resolution by Ald. Hammond authorizing a transfer of appropriations in the 2013 Budget (establish revenue and appropriation for grant from the DOT for Regional Transit Bus and establish City of Sheboygan match). REFER TO FINANCE

ATTACHMENT: RES - TRANSFER TRANSIT.pdf

5.6 A Resolution by Ald. Hammond authorizing the City of Sheboygan to enter

into a contract for software maintenance coverage. REFER TO FINANCE

ATTACHMENT: RES IT SOFTWARE.pdf

5.7 A Resolution by Ald. Hammond authorizing the City of Sheboygan to enter into a contract for buildings and property insurance coverage. REFER TO FINANCE

ATTACHMENT: RES INSURANCE BUILDINGS.pdf

6. REPORTS OF COMMITTEES

6.1 An R. C. by Law and Licensing recommending denying Beverage Operator's License #7048 based on his failure to cooperate with the Committee. ACCEPT AND ADOPT

ATTACHMENT: License #7048.pdf

6.2 An R. C. by Law and Licensing recommending denying Taxicab Driver's License #9884 based on her failure to accurately reveal all relevant convictions on the application, her record of violations related to the licensed activity and a negative recommendation from the Police Dept. ACCEPT AND ADOPT

ATTACHMENT: License #9884.pdf

6.3 An R. C. by Law and Licensing recommending denying Beverage Operator's License #7341 based on her failure to accurately reveal all relevant convictions on the application, her record of violations related to the licensed activity and a negative recommendation from the Police Dept. ACCEPT AND ADOPT

ATTACHMENT: License #7341.pdf

6.4 An R. C. by Law and Licensing recommending denying Beverage Operator's License #9880 based on his failure to accurately reveal all relevant convictions on his application and his record of violations related to the licensed activity. ACCEPT AND ADOPT

ATTACHMENT: License #9880.pdf

6.5 An R. C. by Law and Licensing recommending denying Beverage Operator's License #8206 based on her failure to accurately reveal all relevant convictions on her application, her record of violations related to the licensed activity, and a negative recommendation from the Police Dept. ACCEPT AND ADOPT

ATTACHMENT: License #8206.pdf

6.6 An R. C. by Pub. Prot. and Safety recommending filing document amending the Municipal Code as to exempt certain transactions. FILE ORDINANCE AND DIRECT CITY ATTY TO DRAFT NEW ORDINANCE (BASED ON PUB. PROTECTION AND SAFETY'S RECOMMENDATIONS)

ATTACHMENT: GO 55 - PP&S.pdf

6.7 An R. C. by Finance recommending authorizing a transfer of appropriations in the 2013 Budget (establish revenue and appropriation for donation from Sheboygan Sudzzer's to the Sheboygan Police Dept. for their Teddy Bear Patrol Program and establish appropriation for 2013 Sidewalk Program). ACCEPT AND ADOPT RC AND PASS RESOLUTION

ATTACHMENT: RC RES 164-12-13.pdf

6.8 An R. C. by Public Works recommending amending the Municipal Code relating to certificates of compliance with Clearwater requirements so as to exempt certain transactions. ACCEPT AND ADOPT RC AND PASS ORDINANCE

ATTACHMENT: RC - GO 55 COPY.pdf

6.9 An R. C. by Finance recommending referral of various documents. REFER TO FINANCE OF THE NEW COMMON COUNCIL

ATTACHMENT: RO 224-12-13.pdf

ATTACHMENT: RO 169-12-13.pdf

ATTACHMENT: RO 130-12-13.pdf

ATTACHMENT: RO 74-12-13.pdf

ATTACHMENT: RC 393-11-12.pdf

ATTACHMENT: RO 245-12-13.pdf

ATTACHMENT: RO 286-12-13.pdf

ATTACHMENT: RO 301-12-13.pdf

ATTACHMENT: RO 199-12-13.pdf

6.10 An R. C. by Finance recommending referral of documents regarding the request to install a new handicapped elevator lift on the north side of City Hall. REFER TO CAPITAL IMPROVEMENTS COMMISSION

ATTACHMENT: RC (RC 404-12-13).pdf

7. ORDINANCES

7.1 An Ordinance by Ald. Roeseler, Kath and VanderWeele repealing and recreating Subsection 29-3(a) of the 1975 Municipal Code relating to residency for appointed department heads and members of boards and commission. LIES OVER

ATTACHMENT: GO RESIDENCY DEPARTMENT HEADS.pdf

7.2 An Ordinance by Ald. Roeseler amending Section 29-75 of the 1975 Sheboygan Municipal Code so as to add/change/delete various positions on the Table of Organization. REFER TO SALARIES AND GRIEVANCES

ATTACHMENT: ORDINANCE TABLE OF ORG.pdf

7.3 An Ordinance by Ald. Heidemann repealing and recreating Section 2-730 of the Municipal Code relating to the functions and duties of the senior activity center commission. REFER TO SALARIES AND GRIEVANCES

ATTACHMENT: GO SENIOR ACTIVITY CENTER.pdf

7.4 An Ordinance by Ald. Roeseler repealing Article III of Chapter 29 of the 1975 Municipal Code and creating Section 82-2 of the Municipal Code relating to the position of director of human resources and labor relations. REFER TO SALARIES AND GRIEVANCES

ATTACHMENT: GO DIRECTOR OF HR.pdf

7.5 An Ordinance by Ald. Roeseler repealing and recreating Subsection 2-224(d) of the Municipal Code relating to the terms of appointive officials. REFER TO SALARIES AND GRIEVANCES

ATTACHMENT: GO TERMS OF APPOINTED OFFICIALS.pdf

7.6 A Charter Ordinance by Ald. Roeseler (being subject to the home rule provisions of sec. 66.0101 of the Wisconsin Statutes) providing for the appointment of the Finance Director/Treasurer. REFER TO SALARIES AND GRIEVANCES

ATTACHMENT: CHARTER ORD APPOINTMENT OF FIN DIR.pdf

7.7 A Charter Ordinance by Ald. Roeseler (being subject to the home rule provisions of sec. 66.0101 of the Wisconsin Statutes) repealing Charter Ord. 1-97-98 and creating Chapter 2, Article IV, Division 4 of the Municipal Code providing for the appointment of the city assessor. REFER TO SALARIES AND GRIEVANCES

ATTACHMENT: CHARTER ORD CITY ASSESSOR.pdf

7.8 An Ordinance by Ald. Roeseler repealing and recreating Section 86-92 of the Municipal Code relating to the appointment of the director of planning and development. REFER TO SALARIES AND GRIEVANCES

ATTACHMENT: GO - DIRECTOR OF PLANNING.pdf

8. MATTERS LAID OVER

8.1 R. O. No. 297-12-13 by the City Plan Commission amending the zoning map to establish the Use District Classification of recently annexed property located west of Taylor Dr. and north of Indiana Ave. ACCEPT AND FILE AND PASS ORDINANCE

8.2 Res. No. 162-12-13 by Ald. Hammond, Dekker, Carlson, Donohue and Roeseler authorizing a contribution to the Sheboygan County Economic Development Corporation for business development. PASS RESOLUTION

9. OTHER MATTERS - ADDED ON 4-4-13

9.1 An R. O. by the City Clerk submitting a communication from Winston & Strawn LLP informing the City that effective 12/5/12, Veolia ES Solid Waste Midwest, LLC changed its name to Advanced Disposal Services Solid Waste Midwest LLC. PUBLIC WORKS

ATTACHMENT: Veolia name change.pdf

9.2 An R. O. by the Interim Library Director submitting the 2012 Annual Report for submission to the Div. for Libraries & Technology of the Dept. of Instruction. FINANCE

ATTACHMENT: Library Report.pdf

9.3 An R. O. by the City Clerk submitting a communication from Ald. Matichek providing information with regards to a "four-day work week." SALARIES AND GRIEVANCES

ATTACHMENT: 4 DAY WORK WEEK.pdf

9.4 An R. O. by the City Clerk submitting a communication from Alex Kaufman requesting a waiver from the Sex Offender Residency restrictions in order to

live at 1921 N. 11th St. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: Kaufmann.pdf

9.5 An R. O. by the City Clerk submitting a communication from Don Diener re: safety concerns at the intersection of N. 9th and Center Ave. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: Diener.pdf

9.6 An R. O. by the City Clerk submitting a communication from the President of The Lutheran Church of Our Redeemer re: safety concerns in the 3000 block of Wilgus Ave. due to large pot holes. PUBLIC WORKS

ATTACHMENT: Lutheran Church.pdf

9.7 An R. O. by the City Clerk submitting various licenses. LAW AND LICENSING

ATTACHMENT: License document.pdf

9.8 An R. O. by the Purchasing Agent submitting bids for the 2013 Sidewalk Replacement program. PUBLIC WORKS

ATTACHMENT: Sidewalk bids.pdf

9.9 An R. O. by the Purchasing Agent submitting costs for purchase of equipment necessary to improve live or "real" time broadcasting of public informational programming by WSCS TV. FINANCE

ATTACHMENT: Cost breakdown.pdf

9.10 A Resolution by Ald. Hammond authorizing entering into contract for the purchase of components for WSCS to broadcast community programming in real time. FINANCE

ATTACHMENT: Res. components.pdf

9.11 A Resolution by Ald. Hammond authorizing a transfer of appropriations in the 2013 Budget (establish appropriation for purchase of equipment for WSCS TV). FINANCE

ATTACHMENT: Transfer WSCS TV.pdf

9.12 A Resolution by Ald. Heidemann authorizing the construction of the federally funded non-motorized traffic calming projects at various locations throughout the City. PUBLIC WORKS

ATTACHMENT: Non-motorized project.pdf

9.13 A Resolution by Ald. Van Akkeren authorizing the Dept. of Public Works to temporarily make the intersection of N. 10th St. and Erie Ave. a two-way stop. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: Temporary intersection.pdf

9.14 A Resolution by Ald. Hammond authorizing a transfer of appropriations in the 2013 Budget (establish revenue and appropriations for purchase of helmets with donation from Georgia Pacific Foundation, Inc., and Georgia Pacific

Financials). FINANCE

ATTACHMENT: Transfer Helmets.pdf

9.15 A Resolution authorizing entering into a contract for the 2013 Concrete Sidewalk Program. PUBLIC WORKS

ATTACHMENT: Sidewalk contract res..pdf

9.16 A Resolution by Ald. Heidemann authorizing the City to enter into a contract for dock repairs at the Harbor Centre Marina. PUBLIC WORKS

ATTACHMENT: Dock repairs.pdf

10. 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 the possible sale of public property where competitive and bargaining reasons require a closed session.

11. ADJOURN

11.1 Adjourn

12. MINUTES FOR THE 4-3-2013 COUNCIL MEETING

12.1 Minutes for the 4-3-2013 Council meeting

ATTACHMENT: 04-03-13minutes.doc

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