

REGULAR COMMON COUNCIL MEETING

"IN EVERY CRISIS THERE IS A MESSAGE. CRISES ARE NATURE'S WAY OF FORCING CHANGE - BREAKING DOWN OLD STRUCTURES, SHAKING LOOSE NEGATIVE HABITS SO THAT SOMETHING NEW AND BETTER CAN TAKE THEIR PLACE." ~Susan Taylor
Notice of the 24th meeting of the 2012-2013 Common Council at 7:00 p.m., MONDAY, MARCH 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 RESIGNATIONS - Jean Kittelson from Transit Commission and Police and Fire Commission.

ATTACHMENT: Resignation.pdf

1.5 PUBLIC FORUM

1.6 MAYOR'S ANNOUNCEMENTS

2. HEARINGS

2.1 A hearing to confirm special assessments for Parking District I.

ATTACHMENT: Hearing - District I.pdf

2.2 A hearing to confirm special assessments for Parking District II.

ATTACHMENT: Hearing - District II.pdf

2.3 A hearing to confirm special assessments for Parking District IV.

ATTACHMENT: Hearing - District IV.pdf

2.4 A hearing to confirm special assessments for Parking District V.

ATTACHMENT: Hearing - District V.pdf

3. CONSENT AGENDA

3.1 An R. O. by the Bd. of Electrical and Heating Examiners submitting electrical contractor licenses which have been issued. ACCEPT AND FILE

ATTACHMENT: Bd. of Electrical.pdf

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

ATTACHMENT: Granting licenses.pdf

3.3 An R. O. by the Chief of Police submitting his annual report for 2012.
ACCEPT AND FILE

ATTACHMENT: Police annual report.pdf

3.4 An R. O. by the City Plan Commission recommending filing document submitting a communication from SBA Corp. requesting permission to modify Sprint's current equipment configuration regarding the SBA Tower at 3333 Lakeshore Dr. ACCEPT AND FILE AND APPROVE

ATTACHMENT: SBA Communications.pdf

3.5 A Res. by Ald. Hammond confirming the exercise of police power in making an assessment for benefited properties for Parking Assessment District I. PASS RESOLUTION

ATTACHMENT: District 1.pdf

3.6 A Res. by Ald. Hammond confirming the exercise of police power in making an assessment for benefited properties for Parking Assessment District V. PASS RESOLUTION

ATTACHMENT: District V.pdf

3.7 A Res. by Ald. Hammond confirming the exercise of police power in making an assessment for benefited properties for Parking Assessment District IV. PASS RESOLUTION

ATTACHMENT: Parking District IV.pdf

3.8 A Res. by Ald. Hammond confirming the exercise of police power in making an assessment for benefited properties for Parking Assessment District II. PASS RESOLUTION

ATTACHMENT: Parking District II.pdf

3.9 An R. C. by Finance recommending denying claim from Joseph D. Vanderpuy for alleged damages to his home when there was a sewer backup into his basement and directing the City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: Claim Vanderpuy.pdf

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

ATTACHMENT: Licenses - Sunset.pdf

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

ATTACHMENT: Grant licenses - change of agent.pdf

3.12 An R. C. by Law and Licensing recommending granting Beverage Operator's License #9384. ACCEPT AND ADOPT

ATTACHMENT: Grant license Macedo.pdf

3.13 An R. C. by Law and Licensing recommending filing document submitting Taxicab Driver's License #9882 as the application was withdrawn. ACCEPT AND ADOPT

ATTACHMENT: License withdrawn.pdf

3.14 An R. C. by Law and Licensing recommending amending the Municipal Code so as to create and clarify regulations related to taxicabs in the city (fares). ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: Taxicab ordinance - fares.pdf

3.15 An R. C. by Law and Licensing recommending amending the Municipal Code so as to create and clarify regulations related to taxicabs in the city (issuance). MOTION TO ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: Taxicab - issuance.pdf

3.16 An R. C. by Public Protection and Safety recommending filing document submitting a communication from Andrea Yakich regarding her concerns over the accidents occurring at the corner of 1002 Mead Ave. ACCEPT AND ADOPT

ATTACHMENT: Yakich letter.pdf

3.17 An R. C. by Public Protection and Safety recommending filing document submitting a communication from Tracy Nelson stating concerns over the confusion on her needing a Clearwater Certificate. ACCEPT AND ADOPT

ATTACHMENT: Nelson letter.pdf

3.18 An R. C. by Public Protection and Safety recommending filing document submitting the Building Inspection Department's report for the month of January 2013. ACCEPT AND ADOPT

ATTACHMENT: Building Inspection.pdf

3.19 An R. C. by Public Protection and Safety recommending filing document submitting a communication from Rockets for Schools confirming the dates for the 2013 program at Blue Harbor resort. ACCEPT AND ADOPT

ATTACHMENT: Rockets for Schools.pdf

3.20 An R. C. by Public Protection and Safety recommending creating parking limits so as to add a 15-minute parking limit on the north side of St. Clair Ave. between N. 7th St. and N. 6th St. ACCEPT AND ADOPT AND PASS ORDINANCE

ATTACHMENT: 15 minute parking.pdf

3.21 An R. C. by Public Works recommending granting permission to "Pop's Corn" to operate a popcorn stand in Fountain Park during the calendar year 2013, in accordance with City Code Sec. 74-54. ACCEPT AND ADOPT

ATTACHMENT: Popcorn stand.pdf

3.22 An R. C. by Public Works recommending filing document submitting a communication from Rockets for Schools program confirming dates for the 2013 program to be held at Blue Harbor resort. ACCEPT AND ADOPT

ATTACHMENT: Rockets for Schools 2.pdf

3.23 An R. C. by Public Works recommending filing document submitting a communication from Hameister Architects, Inc., requesting permission to modify the roadway median in the Washington Ave. right-of-way between Taylor Dr. and Greenwing Dr. ACCEPT AND ADOPT AND APPROVE THE REQUEST

ATTACHMENT: Hameister Architects.pdf

3.24 An R. C. by Public Works recommending entering into contract for the purchase of 2 dual-fuel hybrid vehicles for the Wastewater Treatment facility. MOTION TO ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: Purchase 2 vehicles.pdf

4. REPORTS OF OFFICERS

4.1 An R. O. by the Purchasing Agent seeking approval to issue a Request for Bids to firms engaged in the installation, connection and start-up of the thermal drying equipment for the dewatering of Biosolids. SUSPEND AND ACCEPT AND FILE AND APPROVE

ATTACHMENT: Bids for Thermal Drying.pdf

4.2 An R. O. by City Plan Commission recommending establishing the Use District Classification of recently annexed property located west of Taylor Dr. and north of Indiana Ave. to PPUD Pre-Planned Unit Development. LIES OVER

ATTACHMENT: Establish zoning.pdf

4.3 An R. O. by the City Clerk submitting a claim from Jerry L. Finger for alleged damages to the bottom of his vehicle caused by a pothole. REFER TO FINANCE

ATTACHMENT: Claim J. Finger.pdf

4.4 An R. O. by the City Clerk submitting a Notice of Circumstances giving rise to claim for damages pursuant to Sec. 893.80, Wis. Stats., to the Redevelopment Authority and the City of Sheboygan. REFER TO FINANCE AND REDEVELOPMENT AUTHORITY

ATTACHMENT: Notice of Circumstances.pdf

4.5 An R. O. by the City Clerk submitting a communication and petition from David Sommer et al., requesting that the Quality Addiction Management Clinic be removed from the Greater Sheboygan Area. REFER TO PUBLIC PROTECTION AND SAFETY

ATTACHMENT: Petition David Sommer et al.pdf

4.6 An R. O. by the City Clerk submitting a communication from Mary Bermke stating that the fire hydrants should be marked with a red, flexible flags and is concerned about the deterioration of City streets and alleys. REFER TO PUBLIC PROTECTION AND SAFETY AND PUBLIC WORKS

ATTACHMENT: Bermke - fire hydrant flags.pdf

4.7 An R. O. by the City Clerk submitting a communication from Mary Bermke addressing concerns regarding cars off of the street during snow storms to allow plowing and checking when people renovate the insides of their homes and don't get permits. REFER TO PUBLIC PROTECTION AND SAFETY AND PUBLIC WORKS

ATTACHMENT: Bermke - clear streets.pdf

ATTACHMENT: Bermke RO.pdf

5. RESOLUTIONS

5.1 A Resolution by Ald. Heidemann authorizing issuing a Request for Bids for the Sheboygan Regional Wastewater Treatment Facility Biosolids Dewatering and Drying Improvements Project. SUSPEND AND PASS RESOLUTION

ATTACHMENT: Resolution - bids Biosolids.pdf

5.2 A Resolution by Ald. VanderWeele authorizing the City Atty. to engage in outside legal counsel to represent Law and Licensing and the Common Council regarding a quasi-judicial hearing in the matter of Taxicab Operator's License No. 9748. SUSPEND AND PASS RESOLUTION

ATTACHMENT: Outside legal counsel.pdf

5.3 A Resolution by Ald. Hammond, Dekker, Carlson, Donohue and Roeseler authorizing a contribution to the Sheboygan County Economic Development Corporation for business development. LIES OVER

ATTACHMENT: SCEDC.pdf

5.4 A Resolution by Ald. Hammond authorizing the Chief Administrative Officer to enter into contract for data modeling of real property data in the Assessor's office. REFER TO FINANCE

ATTACHMENT: Assessors.pdf

5.5 A Resolution by Ald. Hammond authorizing a transfer of appropriations in the 2013 Budget (establish revenue and appropriation for donation from Sheboygan Sudzzer's to the Police Dept. for the Teddy Bear Patrol Program; establish appropriation for the 2013 sidewalk program). REFER TO FINANCE

ATTACHMENT: Transfer - PD.pdf

6. REPORTS OF COMMITTEES

6.1 An R. C. by Law and Licensing recommending denying Taxicab Driver's License #4943 based upon her record of unlawful and improper involvements. ACCEPT AND ADOPT

ATTACHMENT: Deny #4943.pdf

6.2 An R. C. by Law and Licensing recommending denying Taxicab Driver's License #9127 based upon his record of violations related to the licensed activity and a negative recommendation from the Police Dept. ACCEPT AND ADOPT

ATTACHMENT: Deny #9127.pdf

6.3 An R. C. by Salaries and Grievances recommending modifying the City's residency requirement for all non-represented employees (excluding department heads) and passing the attached Substitute Resolution. ACCEPT AND ADOPT AND PASS SUBSTITUTE RESOLUTION

ATTACHMENT: Residency.pdf

6.4 An R. C. by Finance recommending AUTHORIZING AMENDMENTS TO \$2,750,000 CITY OF SHEBOYGAN, WISCONSIN INDUSTRIAL DEVELOPMENT REVENUE BONDS, SERIES 2010 (TORGINOL, INC. PROJECT) ISSUED ON DECEMBER 30, 2010. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: \$2,750,000.pdf

6.5 An R. C. by Finance recommending requiring two-thirds vote for adoption of new fees and increases or extensions of existing fees by the Common Council. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: Two-thirds - new fees.pdf

6.6 An R. C. by Public Works recommending executing the Management Services Agreement regarding Quarryview Park. ACCEPT AND ADOPT AND PASS RESOLUTION WITH THE AMENDED AGREEMENT

ATTACHMENT: Management agreement.pdf

6.7 An R. C. by Public Works recommending referral of document submitting a communication from Ald. Lewandoske stating his concerns regarding removal of the handicapped elevator lift on the north side of City Hall and wants it replaced. REFER TO FINANCE

ATTACHMENT: Ald. Lewandoske.pdf

6.8 An R. C. by Public Works who met and discussed and recommends referral of the request to install a new handicapped elevator lift on the north side of City Hall, whereas the previous lift was not fixable due to lack of availability of parts. REFER TO FINANCE

ATTACHMENT: Handicapped elevator lift.pdf

6.9 An R. C. by Public Works regarding the "Release of Liability & Indemnity Agreement" between the City and the Union Pacific Railroad Co. to permit the City to be in, on, or about the premises of the railroad, for the sole purpose of mowing when necessary. RE-REFER TO PUBLIC WORKS

ATTACHMENT: Union Railraod.pdf

7. ORDINANCES

7.1 An Ordinance by Ald. Lessard and Carlson amending Sec. 26-1008 of the Municipal Code relating to certificates of compliance with clearwater requirements so as to exempt certain transactions. REFER TO PUBLIC PROTECTION AND SAFETY AND PUBLIC WORKS

ATTACHMENT: Ordinance - clearwater certificates.pdf

8. MATTERS LAID OVER

8.1 Res. No. 149-12-13 by Ald. Hammond, Dekker, Carlson and Donohue authorizing a transfer of appropriations in the 2013 Budget (grant from Wis. DOJ for Police Strategies for Recorded Interview training)

ATTACHMENT: Transfer of funds.pdf

9. NOTICE TO DISCHARGE THE BOARD OF HOUSING APPEALS AND FAIR HOUSING PRACTICES

9.1 MOTION TO DISCHARGE THE BOARD OF HOUSING APPEALS AND FAIR HOUSING PRACTICE

9.2 Gen. Ord. No. 50-12-13 by Ald. Heidemann and Lessard repealing and recreating Chapter 46 of the Municipal Code relating to Fair Housing. PASS ORDINANCE

ATTACHMENT: Gen. Ord. No. 50-12-13.pdf

10. OTHER MATTERS

11. CLOSED SESSION

11.1 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.

12. RECONVENE IN OPEN SESSION

12.1 A Resolution by Ald. Hammond authorizing the sale of City-owned property in Sheboygan Industrial Park No. 1) Parcel No. 59281-423780). SUSPEND RULES AND PASS RESOLUTION

ATTACHMENT: Industrial Park.pdf

13. ADJOURN

13.1 Adjourn

14. MINUTES FROM 3-18-2013 COUNCIL MEETING

14.1 Minutes

ATTACHMENT: 03-18-13minutes.doc

15. VOTES TAKEN AT 3-18-2013 COUNCIL MEETING

15.1 Votes

ATTACHMENT: Votes from March 18th 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