

REGULAR COMMON COUNCIL MEETING

"Good leaders make people feel that they're at the very heart of things, not at the periphery. Everyone feels that he or she makes a difference to the success of the organization. When that happens people feel centered and that gives their work meaning. " Warren Bennis

Notice of the 10th meeting of the 2012-2013 Common Council at 7:00 p.m., Monday, August 20, 2012, 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 MAYOR'S APPOINTMENTS

ATTACHMENT: Mayor s Appointments.pdf

- 1.5 PUBLIC FORUM
- 1.6 MAYOR'S ANNOUNCEMENTS

**2. CONSENT AGENDA**

- 2.1 An R. O. by the City Clerk granting various licenses. ACCEPT AND FILE
- 2.2 A Resolution by Ald. Kath and Lewandoske directing a public hearing in connection with a rezoning of Parcel #215096. PASS RESOLUTION
- 2.3 An R. C. by Public Protection and Safety recommending filing document submitting a communication from Tom De Genaro requesting "No parking" signs on the east side of S. 26th St. from Pennsylvania Ave. to Terrace Circle due to safety concerns and recommending that an ordinance be drafted. ACCEPT AND ADOPT

ATTACHMENT: Genaro letter.pdf

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

ATTACHMENT: Various communications.pdf

- 2.5 An R. C. by Finance recommending filing document submitting a claim from Dennis Prigge for alleged damages to his overhang on his garage in the alley when a City garbage truck hit it and paying claim in the amount of \$890.00. ACCEPT AND ADOPT

ATTACHMENT: Prigge.pdf

- 2.6 An R. C. by Finance recommending filing document submitting a claim from

Rogene Brott for towing charges when allegedly her car was towed by mistake and paying the claim in the amount of \$57.75. ACCEPT AND ADOPT

ATTACHMENT: Brott.pdf

2.7 An R. C. by Finance recommending filing an Order Confirming Sale and Ordning adding to Judgment in the matter of Wisconsin Housing and Economic Development Authority vs. Peter Zabel et al. ACCEPT AND ADOPT

ATTACHMENT: Order Confirming.pdf

2.8 An R. C. by Law and Licensing recommending granting a license. ACCEPT AND ADOPT

ATTACHMENT: RO 82-12-13.pdf

2.9 An R. C. by Finance recommending filing document submitting an Amended Summons and Complaint in the matter of US Bank National Assoc. as Trustee for RASC 2005-KS11 vs. Maurice Brown et al. ACCEPT AND ADOPT

ATTACHMENT: US Bank.pdf

2.10 An R. C. by Finance recommending denying claim from Shane Hall for alleged injuries to his hand and damages to his phone while riding a bike, hitting a pothole and falling off the bike and directing the City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: Hall claim.pdf

2.11 An R. C. by Law and Licensing recommending filing document submitting a communication from Ald. Kath and Heidemann forwarding an email from Nicole Robinson regarding "Undercut Tree Removal & Landscaping" operating their business in a residential area. ACCEPT AND ADOPT

ATTACHMENT: Undercut Trees.pdf

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

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

### **3. COMMUNICATIONS**

3.1 A Communication from Ald. Belanger questioning whether the City should continue to provide garbage collection service or explore the opportunity to privatize this service. REFER TO FINANCE

ATTACHMENT: Garbage privatization.pdf

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

4.1 An R. O. by the Chief Administrative Officer as part of the budget process, the attached listing of the Estimated Unreserved Fund Balances at December 31, 2012, and outstanding debt as of December 31, 2012, is submitted for your review. LIES OVER TO NOVEMBER 19TH

ATTACHMENT: Estimated Unreserved Fund Balances.pdf

4.2 An R. O. by the Mayor submitting to the Common Council an Executive

Budget presenting a financial plan for conducting the affairs of the City for the ensuing fiscal year 2013. REFER TO STRATEGIC FISCAL PLANNING

ATTACHMENT: Mayor s Budget.pdf

4.3 An R. O. by the City Clerk submitting a communication from Adam Strauss requesting a waiver from the Sex Offender Residency restrictions in order to live at 2638 N. 19th St. REFER TO PUBLIC PROTECTION AND SAFETY

ATTACHMENT: Strauss waiver.pdf

4.4 An R. O. by the City Clerk submitting a communication from Millennium Properties, Inc., requesting that a "no parking" sign on Martin Ave. alongside of the Zodiak Bar be removed to allow parking for customers. REFER TO PUBLIC PROTECTION AND SAFETY

ATTACHMENT: Millennium Properties letter.pdf

4.5 An R. O. by the City Clerk submitting a communication from Brett Edgerle, XTERRA Bike Race coordinator, requesting to be able to rent Quarryview Shelter on June 28 and 29, 2013, for the Regional Championship Race. REFER TO PUBLIC WORKS

ATTACHMENT: Edgerle letter.pdf

4.6 An R. O. by the City Clerk submitting an application from Jos. Schmitt & Sons for an amendment to the Zoning map Parcel #215096 from UR Urban Residential to SC Suburban Commercial Classification. REFER TO CITY PLANNING

ATTACHMENT: Zoning application.pdf

4.7 An R. O. by the City Clerk submitting a communication from the State of WI Dept. of Corrections filing an appeal to the Sex Offender Residency restrictions for Andrew Tershner in order to live at 1123/1125 N. 14th St. or 930A Michigan Ave. depending on availability. REFER TO PUBLIC PROTECTION AND SAFETY

ATTACHMENT: Tershner.pdf

4.8 An R. O. by the Mayor requesting that the two resolutions Res. No. 49-12-13 by Ald. Hammond rdering the 2013 Budget appropriations and the 2012 Tax Levy for use during the calendar year 2013 and Res. No. 50-12-13 by Ald. Hammond ordering the 2013 Budget appropriations for the City of Sheboygan funds submitted to the Common Council on August 6th be referred to Strategic Fiscal Planning.

## **5. RESOLUTIONS**

5.1 A Resolution by Ald. Heidemann authorizing City Officials to approve the waiver of application form needed for right-of-way donation from the City's Business Center for purposes of reconstruction and widening Cty. Hwy. OK/S. Business Dr. REFER TO PUBLIC WORKS

ATTACHMENT: Right of way.pdf

ATTACHMENT: Original plat.pdf

5.2 A Resolution by Ald. Bohren and Hammond providing for staff assistance to the Committee of the Whole. REFER TO SALARIES AND GRIEVANCES

5.3 A Resolution by Ald. Hammond, Dekker and Carlson authorizing a transfer

of appropriations in the 2012 Budget (establishing revenue and appropriation for contribution from Johnsonville Sausage for Fire Dept. equipment). LIES OVER

5.4 A Resolution by Ald. Heidemann declaring the official intent to reimburse expenditures from proceeds of borrowing. REFER TO PUBLIC WORKS AND FINANCE

#### **6. REPORTS OF COMMITTEES**

6.1 An R. C. by Law and Licensing to conditionally recommend that the Common Council not renew the Taxicab Operator License #6977 held by Edwin R. Lehmann. ACCEPT AND ADOPT

6.2 An R. C. by Law and Licensing conditionally recommending that the Common Council not renew the Taxicab Operator License #9411 held by Roxanna M. Ramirez. ACCEPT AND ADOPT

6.3 An R. C. by Law and Licensing recommending denying Taxicab Driver's License #8936 based upon failure to accurately reveal all relevant convictions on the application, record of violations related to the licensed activity and failure to cooperate with the Committee. ACCEPT AND ADOPT

6.4 An R. C. by Law and Licensing recommending denying Taxicab Driver's License #9625 based upon failure to accurately reveal all relevant convictions on the application, record of violations related to the licensed activity and failure to cooperate with the Committee. ACCEPT AND ADOPT

6.5 An R. C. by Salaries and Grievances repealing and recreating Sec. 82-126 of the Municipal Code relating to compensation for overtime worked by non-represented employees of the City and passing the attached Substitute Ordinance. ACCEPT AND ADOPT AND PASS SUBSTITUTE ORDINANCE

ATTACHMENT: Subs. Gen. Ord. 16-12-13.pdf

6.6 An R. C. by Public Works recommending authorizing the appropriate City Officials to execute an amendment to the Shared Dog Park Agreement. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: Dog park docs.pdf

#### **7. ORDINANCES**

7.1 An Ordinance amending the City's Zoning Map for parcel #215096 from Class UR Urban Residential to SC Suburban Suburban Commercial Classification. REFER TO CITY PLANNING

ATTACHMENT: Zoning.pdf

#### **8. MATTERS LAID OVER**

8.1 Res. No. 51-12-13 by Ald. Hammond, Dekker, Carlson and Donohue authorizing a transfer of appropriations in the 2012 Budget (establishing revenue and appropriations for State of WI Local Road Improvement Program funding). SET FOR PASSAGE

#### **9. OTHER MATTERS**

9.1 An R. O. by the City Clerk submitting various license applications. REFER TO LAW AND LICENSING

9.2 An R. O. by the City Clerk submitting a communication from Kapur and Associates, Inc., regarding the Environmental Activities and Site Conditions Summary Update for the Ramada Inn Property and City Parking Lot. REFER TO

FINANCE

9.3 An R. O. by the City Clerk submitting a request from Rhyan Zimmerman for a waiver from the Sex Offender Residency restrictions in order to live at 1409 S. 17th St. REFER TO PUBLIC PROTECTION AND SAFETY

ATTACHMENT: Zimmerman request.pdf

**10. ADJOURN**

10.1 Motion to adjourn

**11. MINUTES FROM 8-20-12 COUNCIL MEETING**

11.1 MINUTES 8-20-12

ATTACHMENT: 08-20-2012 minutes.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 Building

City's website