

REGULAR COMMON COUNCIL MEETING AGENDA AND MINUTES

Change is the law of life. And those who look only to the past or present are certain to miss the future. {John F. Kennedy} Notice of the 24th meeting of the 2011-2012 Common Council at 7:00 p.m., Monday, March 19, 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 RESIGNATIONS

ATTACHMENT: Resignation of Alderperson Boeldt.pdf

1.5 PUBLIC FORUM

1.6 MAYOR'S ANNOUNCEMENTS

2. HEARINGS

2.1 A Hearing for proposed assessments for the calendar year 2011 against all benefited property in Parking Assessment District I.

ATTACHMENT: Parking Assessment publication.pdf

2.2 A Hearing for proposed assessments for the calendar year 2011 against all benefited property in Parking Assessment District II.

ATTACHMENT: Parking Assessment publication.pdf

2.3 A Hearing for proposed assessments for the calendar year 2011 against all benefited property in Parking Assessment District IV.

ATTACHMENT: Parking Assessment publication.pdf

2.4 A Hearing for proposed assessments for the calendar year 2011 against all benefited property in Parking Assessment District V.

ATTACHMENT: Parking Assessment publication.pdf

3. CONSENT AGENDA

3.1 An R. O. by the Library Director submitting the 2011 Annual Report.

ATTACHMENT: 2011 Mead Public Library report.pdf

3.2 A Res. confirming assessments proposed for Parking Assessment District I.

3.3 A Res. confirming assessments proposed for Parking Assessment District II.

3.4 A Res. confirming assessments proposed for Parking Assessment District IV.

3.5 A Res. confirming assessments proposed for Parking District V.

3.6 A Res. by Ald. Kittelson, Kath, Carlson and VanderWeele to levy special assessments for replacement of water laterals in N. 13th St. from Michigan Ave. to south of Huron Ave. and north of Huron Ave. to Superior Ave.

3.7 An R. C. by Committee of the Whole filing various documents.

ATTACHMENT: Letters from Richard Hartmann and Sheb. Cty. Taxpayers Alliance.
pdf

3.8 An R. C. by Public Protection and Safety submitting the Building Inspection Dept.'s report for February 2012.

ATTACHMENT: Building Inspection Dept. report.pdf

3.9 An R. C. by Law and Licensing recommending granting various licenses.

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

3.11 An R. C. No. 342-11-12 by Public Works authorizing entering into contract for the 2012 Bituminous Paving Program.

ATTACHMENT: Res. No. 155-11-12.pdf

3.12 An R. C. by Public Works adopting the City of Sheboygan, Wisconsin Natural Hazards Mitigation Plan Update.

ATTACHMENT: Plan Update.pdf

3.13 An R. C. by Public Works authorizing giving permission to Harold Biebel "Pop's Corn" to operate a popcorn stand in Fountain Park during calendar year 2012.

ATTACHMENT: Biebel letter.pdf

4. COMMUNICATONS AND PETITIONS

4.1 A Communication from Menhard Sonnemann requesting that Sheboygan adopt the Towing Ordinance that tows uninsured motorists that has been approved by the Dallas Police Department. REFER TO PUBLIC PROTECTION AND SAFETY

ATTACHMENT: Dallas Police Dept. article.pdf

5. REPORTS OF OFFICERS

5.1 An R. O. by the City Clerk from the Project Specialist of the Non-motorized Transportation Pilot Program regarding a new initiative known as Paint the Pavement. REFER TO PUBLIC WORKS

ATTACHMENT: Letters pilot program.pdf

5.2 An R. O. by the City Clerk submitting a claim from Andrew Stein for alleged damages to his vehicle when a snow plow hit his truck that was parked on the street. REFER TO SPECIAL COMMITTEE ON RISK MANAGEMENT

ATTACHMENT: Stein claim.pdf

5.3 An R. O. by the City Clerk submitting a communication from Zachary Castillo requesting a waiver from the Sex Offender Residency restriction in order to live at 1519 Cambridge Ave. REFER TO PUBLIC PROTECTION AND SAFETY

ATTACHMENT: Castillo request.pdf

5.4 An R. O. by City Clerk submitting a communication from Rodney Fischer requesting a waiver from the Sex Offender Residency restrictions in order to live at 1403 Center Ave. REFER TO PUBLIC PROTECTION AND SAFETY

ATTACHMENT: Fischer request.pdf

5.5 An R. O. by City Clerk submitting a communication from Darnell Johnston requesting a waiver from the Sex Offender Residency restrictions in order to live at 1112 N. 11th St. REFER TO PUBLIC PROTECTION AND SAFETY

ATTACHMENT: Johnston request.pdf

5.6 An R. O. by the City Clerk submitting a communication from Richard Rupnik requesting a waiver from the Sex Offender Residency restrictions in order to live at either 1021 N. 8th St. or 710 Erie Ave. REFER TO PUBLIC PROTECTION AND SAFETY

ATTACHMENT: Rupnik request.pdf

5.7 An R. O. by City Clerk submitting a communication from Mumin Abd-Allah requesting a waiver from the Sex Offender Residency restrictions in order to live at 1028 High Ave. REFER TO PUBLIC PROTECTION AND SAFETY

ATTACHMENT: ABD-ALLAH request.pdf

5.8 An R. O. by City Clerk submitting a communication from Albert Webster requesting a waiver from the Sex Offender Residency restrictions in order to live at 1214 N. 17th St. REFER TO PUBLIC PROTECTION AND SAFETY

ATTACHMENT: WEBSTER request.pdf

5.9 An R. O. by the Fire Chief submitting the 3rd and 4th quarter 2011 EMS Quality Assurance and Quality Improvement report for July 1, 2011 through December 31, 2011). REFER TO PUBLIC PROTECTION AND SAFETY

ATTACHMENT: 3RD AND 4TH QUARTER EMS REPORTS.pdf

5.10 An R. O. by the Purchasing Agent submitting a report relative to the City entering into agreement to purchase 2 new 2012 Ford Quad cabs. REFER TO PUBLIC WORKS

5.11 An R. O. by the Purchasing Agent submitting a report relative to the purchase of a TriCaster 450 Extreme Live Production Bundle for the Replacement WSCS Mobile Broadcast Vehicle. REFER TO FINANCE

6. RESOLUTIONS

6.1 A Res. by Alderperson Hammond providing for the sale of \$4,795,000 General Obligation Promissory Notes, Series 2012A. REFER TO FINANCE

6.2 A Res. by Alderperson Bohren declaring intent to exercise the police power to levy special assessments for the reconstruction of Crocker Ave. from S. Taylor Dr. to S. 32nd St. SET FOR PASSAGE

6.3 A Res. by Alderperson Sampson accepting the dedication of certain land for street purposes. SET FOR PASSAGE

ATTACHMENT: Certified Survey.pdf

6.4 A Res. by Alderpersons Roeseler, Versey, Kittelson and Dekker lifting the hiring freeze in order to hire one Telecommunicator in the Police Department. SET FOR PASSAGE

6.5 A Res. by Alderpersons Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Van Akkeren, VanderWeele and Versey approving the City's participation in the Sheboygan County Work Camp Program. SET FOR PASSAGE

ATTACHMENT: Work Camp Volunteer Waiver.pdf

6.6 A Res. by Alderperson Hammond authorizing the Purchasing Agent to enter into contract for the purchase of one Video Production Switch Unit Bundle for installation in the replacement Vehicle for WSCS. REFER TO FINANCE

6.7 A Res. by Alderperson Bohren authorizing advertising for bids for the concrete paving of Crocker Ave. from S. Taylor Dr. to S. 32nd St. REFER TO PUBLIC WORKS

6.8 A Res. by Alderperson Bohren authorizing the Purchasing Agent to enter into contract for the purchase of 2 Crew Cab Short box 4WD pickup trucks for the Motor Vehicle Department. REFER TO PUBLIC WORKS

7. REPORTS OF COMMITTEES

7.1 An R. C. by Public Works regarding working with the County and their "Work Lender Program" regarding inmates working on City property. SET TO ACCEPT AND ADOPT

ATTACHMENT: Work Camp Volunteer Waiver.pdf

7.2 An R. C. by Law and Licensing recommending denying Beverage Operator's License #7301 based on failure to accurately reveal all relevant convictions on application and failure to cooperate with the Committee. SET TO ACCEPT AND ADOPT

7.3 An R. C. by Law and Licensing recommending denying Beverage Operator's License #8090 based on failure to accurately reveal all relevant convictions on application and failure to cooperate with Committee. SET TO ACCEPT AND ADOPT

7.4 An R. C. by Law and Licensing recommending denying Beverage Operator's License #9003 based on failure to accurately reveal all relevant convictions on application and record violations related to the licensed activity. SET TO ACCEPT AND ADOPT

7.5 An R. C. by Law and Licensing recommending denying Taxicab Driver's License #9482 based upon failure to accurately reveal all relevant convictions on application and record of violations related to the licensed activity. SET TO ACCEPT AND ADOPT

7.6 An R. C. by the Committee of the Whole recommending filing Res. No. 154-11-12 calling for a binding referendum on whether or not the City of Sheboygan shall continue having a full-time Mayor. SET TO ACCEPT AND ADOPT AND FILE RESOLUTION

ATTACHMENT: Res. No. 154-11-12.pdf

7.7 An R. C. by Committee of the Whole by Alderpersons Roeseler, Sampson, Dekker and Versey re-establishing the salary schedule of the Office of Mayor and passing the attached Subs. of Subs. of Subs. Gen. Ord. No. 40-11-12. SET TO ACCEPT AND ADOPT AND PASS SUBS. OF SUBS. OF SUB. ORDINANCE

ATTACHMENT: Subs. of Subs. of Subs. of Gen. Ord. No. 40-11-12.pdf

7.8 An R. C. by Committee of the Whole to re-establish the salary schedule for the Office of Mayor and pass the attached Substitute Ordinance. SET TO ACCEPT AND ADOPT AND PASS SUBS. ORDINANCE

ATTACHMENT: Subs. of Gen. Ord. No. 71-11-12.pdf

8. ORDINANCES INTRODUCED

8.1 An Ordinance by Alderpersons Roeseler, Versey, Kittelson and Dekker amending Section 29.75 of the 1975 Municipal Code so as to change the class grade for the position of Development Manager in the City Development Dept. LIES OVER

8.2 An Ordinance by Alderpersons Roeseler, Versey, Kittelson and Dekker amending Section 29-75 of the 1975 Sheboygan Municipal Code so as to change the class grade for the position of Equipment Service Supervisor in the Dept. of Public Works. LIES OVER

8.3 An Ordinance by Alderpersons Roeseler, Versey, Kittelson and Dekker amending Section 29-75 of the 1975 Sheboygan Municipal Code so as to change the class grade for the position of Supervisor of Operations Streets and Sanitation in the Dept. of Public Works. LIES OVER

8.4 An Ordinance by Alderperson Bohren relating to changing the speed limit on Eisner Ave. between Lakeshore Rd. and N. 21st St. to 25 miles per hour. REFER TO PUBLIC PROTECTION AND SAFETY

8.5 An Ordinance by Alderperson Kittelson relating to mid-block crosswalks so as to add a mid-block crosswalk on Gateway Dr. north of Behrens Parkway. REFER TO PUBLIC PROTECTION AND SAFETY

8.6 An Ordinance by Alderperson Kittelson relating to handicapped parking so as to create an on-street handicapped parking zone on the north side of Grand Ave. east of N. 11th St. REFER TO PUBLIC PROTECTION AND SAFETY

8.7 An Ordinance by Alderperson Sampson amending various sections of the City of Sheboygan Zoning Ordinance so as to provide for regulation of Donation Drop-off boxes. REFER TO CITY PLAN COMMISSION

8.8 An Ordinance by Alderperson Versey and Carlson repealing and recreating Article VI Division 3 of Chapter 50 of the Municipal Code, entitled "Smoke Detectors" so as to update the smoke detector ordinance, including definitions, to require specific types of smoke alarms. REFER TO PUBLIC PROTECTION AND SAFETY

9. OTHER MATTERS AUTHORIZED BY LAW

9.1 An R. O. by the City Clerk granting various license applications. SET TO ACCEPT AND FILE AND APPROVE LICENSES

9.2 An R. O. by City Plan Commission approving the Capital Improvements Program recommended by the Capital Improvements Commission for the period of

2012 and adopting the additional projects for implementation. SET TO ACCEPT AND FILE AND APPROVE PROGRAM

ATTACHMENT: Res. No. 149-11-12.pdf

9.3 An R. O. by City Plan Commission annexing territory owned by the City to the City of Sheboygan. SET TO ACCEPT AND FILE AND PASS ORDINANCE

ATTACHMENT: Gen. Ord. No. 72-11-12.pdf

9.4 A Resolution by Alderpersons Kath, Hammond and Versey authorizing the continuation of the self-insured Worker's Compensation Program. SET FOR PASSAGE

9.5 A Resolution by Alderperson Hammond authorizing the appropriate City officials to sign an Estoppel Certificate relating to a Development Agreement between Continental 194 Fund, LLC and the City of Sheboygan. REFER TO FINANCE

9.6 An R. C. by Special Committee on Risk Management denying claim from Jacob Paul Sutton for alleged damages to his vehicle when a City sanitation truck hit his parked car and directing City Attorney to send a Notice of Disallowance. SET TO ACCEPT AND ADOPT

ATTACHMENT: Sutton claim.pdf

9.7 An R. C. by Special Committee on Risk Management submitting a claim from Mary Christian requesting a reimbursement from her Personal Property tax from 2011 and recommending re-calculating the assessment. SET TO ACCEPT AND ADOPT

ATTACHMENT: Christian claim.pdf

9.8 An R. C. by Special Committee on Risk Management denying claim for excessive assessment from Walgreen Co., tenants of 3 properties in the City and directing City Attorney to send a Notice of Disallowance. SET TO ACCEPT AND ADOPT

ATTACHMENT: Walgreen Co. claim.pdf

9.9 An R. C. by Special Committee on Risk Management denying claim for excessive assessment from JFM1 (Memorial Mall) and direct City Attorney to send a Notice of Disallowance. SET TO ACCEPT AND ADOPT

ATTACHMENT: JFM1 claim.pdf

9.10 An R. C. by Public Protection and Safety submitting a request from Kettle Moraine Area of Narcotics Anonymous to hold a fundraiser for a paintball exhibition booth and recommending drafting Ordinance to permit discharge of paintball guns in specific limited situations. SET TO ACCEPT AND ADOPT

ATTACHMENT: Kettle Moraine letters.pdf

9.11 A Resolution by Alderperson Dekker suspending enforcement of the winter season parking regulations for the balance of the 2011-2012 winter season. SET FOR PASSAGE

9.12 An R. O. by the Development Manager requesting authorizing the closure of the 14th St. Boat Launch for the 2012 boat seasons to restrict canoe users and kayakers from launching due to the River Dredging Program being performed by the EPA. REFER TO PUBLIC WORKS

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

9.14 An R. O. by the City Clerk submitting a communication from Richard Rupnik requesting a waiver to the Sex Offender Residency restrictions in order to live at 1021 N. 8th St. or 710 Erie Ave. REFER TO PUBLIC PROTECTION AND SAFETY

9.15 An R. O. by the City Clerk submitting a communication from the State of Wisconsin Dept. of Corrections to file an appeal to the Sex Offender Residency restriction on behalf of Jason Rogge in order to place him at a Transitional Living Placement (TLP) at 1123/1125 N. 14th or 930A Michigan Ave. based on availability. REFER TO PUBLIC PROTECTION AND SAFETY

9.16 An R. O. by the City Clerk submitting a petition for the vacation of a portion of unpaved street south of 1821 S. 19th St. thereof signed by the owners of all the lots and lands abutting that portion sought to be vacated. REFER TO CITY PLAN COMMISSION

9.17 An Ordinance by Alderperson Dekker vacating the unimproved land north of 1913 Elm Ave. REFER TO CITY PLAN COMMISSION

10. CLOSED SESSION

10.1 Motion to convene in closed session for the item below under the exemption provided in Sec. 19.85(1)(e) for the purpose of deliberating the investing of public funds and/or the leasing of public property where competitive and bargaining reasons require a closed session.

ATTACHMENT: Res. No. 172-11-12.pdf

11. OPEN SESSION

11.1 A Resolution by Alderpersons Bohren, Heidemann, Kath and VanderWeele authorizing taking the necessary action to terminate the Land Lease Agreement between the City of Sheboygan and Dan's Fish, Inc., for the fish shanty at 705 Riverfront Dr. upon its scheduled expiration on April 30, 2012. SUSPEND THE RULES AND PASS THE RESOLUTION

12. ADJOURN

12.1 Motion to Adjourn the meeting

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