

COMMON COUNCIL

Official Proceedings of the 2009-2010 Common Council of the City of Sheboygan.

NINETEENTH REGULAR MEETING

The Council met: Monday, January 4, 2010.

Mayor Bob Ryan in the Chair:

On call of the roll, the following Alderpersons were present:

Bohren, Bouck, Bowers, Dekker, Gischia, Hanna, Heidemann, Kath, Kliejunas, Montemayor, Rindfleisch, Surek, VanderWeele, Vue, Wangemann – 15.

Absent and Excused: Kittelson—1.

On motion by Alderperson Gischia and second by Alderperson Heidemann, the reading of the minutes of the Eighteenth Regular Meeting held December 21, 2009, were approved as entered on the record, all Alderpersons present voting "Aye".

CONFIRMATION OF MAYOR'S APPOINTMENTS

December 21, 2009

HONORABLE MEMBERS OF THE COMMON COUNCIL:

I hereby submit the following appointment for your consideration:

Henry Nelson to be considered for appointment to the Library Board to fill the unexpired term of Marilyn Toepel whose term expires 4/30/11.

On motion by Alderperson Gischia and second by Alderperson Heidemann, the appointment was confirmed on call of the roll:

Ayes: Bohren, Bouck, Bowers, Dekker, Gischia, Hanna, Heidemann, Kath, Kliejunas, Montemayor, Rindfleisch, Surek, VanderWeele, Vue, Wangemann – 15.

Nays: None.

COMMUNICATIONS AND PETITIONS

Com. No. 75-09-10. January 4, 2010.

Submitting a communication from Julie Hansen requesting a change in the "one side parking" on the 1400 block of Marie Ct.

Was referred to the Committee on Public Protection and Safety.

REPORTS OF OFFICERS

R. O. No. 360 - 09 - 10. By BUILDING INSPECTION DEPARTMENT. January 4, 2010.

We hereby submit the report of the Building Inspection Department for the month of: AMENDED - SEPTEMBER 2009.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 361 - 09 - 10. By BUILDING INSPECTION DEPARTMENT. January 4, 2010.

We hereby submit the report of the Building Inspection Department for the month of: OCTOBER 2009.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 362 - 09 - 10. By BUILDING INSPECTION DEPARTMENT. January 4, 2010.

We hereby submit the report of the Building Inspection Department for the month of: NOVEMBER 2009.

Was referred to the Committee on Public Protection and Safety.

***R. O. No. 363 - 09 - 10. By CITY CLERK. January 4, 2010.**

Submitting various license applications.

TEMPORARY CLASS "B" LICENSE

<u>No.</u>	<u>Name</u>	<u>Address</u>
2541	Sheboygan Visual Artists	1201 Erie Ave. – one-day event to be held 1/29/10 in part of the Ebco Venture Center.

COMMERCIAL OPERATORS LICENSE (December 31, 2010)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2570	Lakeshore Property Services	3301 N. 33 rd St.
2607	Spruce It Up	1711 Plainwood Dr.

MASSAGE ESTABLISHMENT LICENSE (December 31, 2010)

<u>No.</u>	<u>Name</u>	<u>Address</u>
1701	Salon Sase	631 Riverfront Dr.

SECONDHAND JEWELERS LICENSE (December 31, 2010)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2507	Crescent Jewelers	20501 S La Grange Rd., Frankfort, IL

R. O. No. 364 - 09 - 10. By CITY CLERK. January 4, 2010.

Submitting various license applications for the period ending June 30, 2010 and June 30, 2011.
Was referred to the Committee on Law and Licensing.

R. O. No. 365 - 09 - 10. By DEPUTY FINANCE DIRECTOR/TREASURER. January 4, 2010.

Submitting the Harbor Centre Marina Balance Sheet from Operations dated November 30, 2009, as submitted by Skipper Marine.
Was referred to the Marina and Harbor Committee.

R. O. No. 366 - 09 - 10. By CITY CLERK. January 4, 2010.

Submitting a communication from Bobby Dudley requesting a waiver from the Sex Offender Ordinance restrictions.
Was referred to the Committee on Public Protection and Safety.

R. O. No. 367 - 09 - 10. By CITY CLERK. January 4, 2010.

Submitting a communication from Brett Summers requesting a waiver from the Sex Offender Ordinance restrictions.
Was referred to the Committee on Public Protection and Safety.

R. O. No. 368 - 09 - 10. By CITY CLERK. January 4, 2010.

Submitting a communication from Zak Krueck offering to paint a checkerboard on 1 or more of the metal tables on the east.
Was referred to the Committee on Public Works.

RESOLUTIONS INTRODUCED

Res. No. 149 - 09 - 10. By Alderperson Bohren, Gischia, Heidemann and Kath. January 4, 2010.

A RESOLUTION directing the Director of Public Works and the Finance Director to do a comprehensive study, cost benefit analysis and feasibility study of bringing all City of Sheboygan vehicle maintenance under one roof. The study is to be presented to the City Finance Committee by February 22, 2010; the Public Works Committee by February 25, 2010; and the Committee of the Whole on or by March 9, 2010 with a possible recommendation to the Common Council for possible action at the March 15, 2010 Council Meeting.

WHEREAS, the City of Sheboygan currently does vehicle maintenance in multiple locations creating a duplication of similar services, possible inefficiencies in mechanical labor costs, mechanical and diagnostic equipment purchases and mechanical supply purchases.

WHEREAS, the City of Sheboygan currently spends \$2.7 million for vehicle maintenance in multiple locations for labor, equipment, parts and supplies,

WHEREAS the Mayor and Common Council and Department Heads are looking for synergies and efficiencies between departments in these difficult budget times,

WHEREAS, similar-size and neighboring communities (Manitowoc and Fond du Lac) have for years had their Public Works Department or a division of Public Works provide all vehicle maintenance services. As part of the study, the Director of Public Works, Finance Director, Mayor, Fire Chief, Police Chief, Transit Director, Chairpersons of the City Finance and Public Works Committees and interested Alderpersons tour and meet with the Motor Vehicle Division of the Fond du Lac, Wisconsin Public Works Department to gain insights on their vehicle maintenance operation.

WHEREAS, the attached Addendum to this Resolution should be used as a guide – but not limited to the information to be presented to the Council on or by March 15, 2010.

NOW THEREFORE LET IT BE RESOLVED: That the Director of Public Works and the Finance Director are directed to do a comprehensive study, cost benefit analysis and feasibility study of bringing all City of Sheboygan vehicle maintenance under one roof. The report is to be presented to the City Finance Committee by February 22, 2010; the

January 4, 2010

Public Works Committee by February 25, 2010; and the Committee of the Whole on or by March 9, 2010, with a recommendation to the Common Council for discussion and possible action by March 15, 2010.

A motion by Alderperson Bohren and second by Alderperson Kath to suspend the rules of the Common Council was passed by unanimous consent.

On motion by Alderperson Bohren and second by Alderperson Kath, the foregoing Resolution was passed on call of the roll:

Ayes: Bohren, Bouck, Bowers, Dekker, Gischia, Hanna, Heidemann, Kath, Kliejunas, Montemayor, Rindfleisch, Surek, VanderWeele, Vue, Wangemann – 15.

Nays: None.

Res. No. 150 - 09 - 10. By Alderperson Gischia. January 4, 2010.

A RESOLUTION authorizing the Assistant City Attorney to enter into a payment plan on behalf of the City with Charles and Liping Farrell for the payment of past due room tax.

RESOLVED: That the Assistant City Attorney is hereby authorized to enter into a payment plan with Charles and Liping Farrell for the payment of past due room tax, a copy of which is attached hereto and incorporated herein.

On motion by Alderperson Gischia and second by Alderperson Kliejunas, the resolution was passed on call of the roll:

Ayes: Bohren, Bouck, Bowers, Dekker, Gischia, Hanna, Heidemann, Kath, Kliejunas, Montemayor, Rindfleisch, Surek, VanderWeele, Vue, Wangemann – 15.

Nays: None

Res. No. 151- 09 – 10. By Alderperson Rindfleisch. January 4, 2010.

A RESOLUTION re-establishing a temporary Government Structure Committee as per the action taken by the Common Council on December 21, 2009 to collect data, study, and make recommendations to the Common Council as to the economic and administrative feasibility of making changes to the current structure of city government.

Lies over under the rules.

Res. No. 152- 09 - 10. By Alderpersons Kittelson, Bouck, Gischia, Kath and Heidemann. January 4, 2010.

A RESOLUTION lifting the hiring freeze in order to hire three (3) Firefighter/Paramedics in the Sheboygan Fire Department.

Lies over under the rules.

Res. No. 153 - 09 - 10. By Alderperson Hanna. January 4, 2010.

A RESOLUTION approving the 2010-2014 Consolidated Plan for the Housing and Community Development utilizing Community Development Block Grant (CDBG) through the U.S. Department of Housing and Urban Development (HUD).

Was referred to the City Plan Commission and the Redevelopment Authority.

Res. No. 154 - 09 - 10. By Alderperson Gischia. January 4, 2010.

A RESOLUTION authorizing entering into an agreement for Community Television Support services with LCL Communications, LLC.

Was referred to the Committee on Finance.

Res. No. 155 - 09 - 10. By Alderperson Gischia. January 4, 2010.

A RESOLUTION authorizing an extension of the agreement for Interim Human Resources and Labor Relations consulting services with HR Unlimited, LLC.

Was referred to the Committee on Finance.

Res. No. 156 – 09 - 10. By Alderperson Gischia. January 4, 2010.

A RESOLUTION to authorize a transfer of appropriations in the 2009 Budget.

Was referred to the Committee on Finance.

Res. No. 157 - 09 - 10. By Alderperson Gischia. January 4, 2010.

A RESOLUTION to authorize the proper City Officials prepare the necessary documents to pursue a potential acquisition of property.

Was referred to the Strategic Fiscal Planning Committee.

REPORT OF COMMITTEES

***R. C. No. 371 - 09 - 10. By PUBLIC PROTECTION AND SAFETY. January 4, 2010.**

Your Committee to whom was referred a copy of R. O. No. 332-09-10 by the City Clerk submitting a communication from Sheriff Michael Helmke regarding the CAD/RMS Project; recommends that the Report of Officer be accepted and placed on file.

R. C. No. 372 - 09 - 10. By LAW AND LICENSING. January 4, 2010.

Your Committee to whom was referred, pursuant to R. O. No. 335-09-10 by the City Clerk, submitting license applications for the period ending June 30, 2010 and June 30, 2011; recommends that Beverage Operator's License application #8463 be denied based upon the applicant's failure to include all relevant convictions on the application, the record of violations related to the licensed activity and the applicant's ineligibility for the license due to multiple convictions directly related to the licensed activity.

A motion by Alderperson Bohren and second by Alderperson Surek was made to accept and adopt the Report of Committee.

Before action was taken thereon, a motion by Alderperson Bouck and second by Alderperson Hanna to open the floor to Joshua Kovacich was passed, all Alderpersons present voting "Aye."

On motion by Alderperson Bohren and second by Alderperson Surek, the Report of Committee was accepted and adopted on call of the roll:

Ayes: Bohren, Bouck, Bowers, Dekker, Gischia, Hanna, Heidemann, Kath, Kliejunas, Rindfleisch, Surek, VanderWeele, Vue, Wangemann – 14.

Nays: Montemayor – 1.

R. C. No. 373 - 09 - 10. By LAW AND LICENSING. January 4, 2010.

Your Committee to whom was referred, pursuant to R. O. No. 335-09-10 and R. O. No. 352-09-10 by the City Clerk, submitting license applications for the period ending June 30, 2010 and June 30, 2011; recommends that the following licenses be granted:

BEVERAGE OPERATOR'S LICENSE (June 30, 2011)

<u>No.</u>	<u>Name</u>	<u>Address</u>
8460	Anzures-Herdandez, Enrique	4423 Primrose Ct., #T112
8459	Dekker, Jeremy J.	540 Teal Ln., Sheboygan Falls
1680	Kovacs, Peter	3515 N. 10 th St.
8471	Tenpas, Robert J.	290 E Union Ave., Cedar Grove
7341	Villa, Juana V.	1214 S. 9 th St.

TAXICAB OPERATOR LICENSE(June 30, 2010)

<u>No.</u>	<u>Name</u>	<u>Address</u>
8469	Gonzalez, Jorge C.	2004 S. 16 th St.
7390	Olivas, Salvador	2206 S. 16 th St.
7889	Rios, Shirley A.	1009 Clara Ave.

We further recommend that, by the adoption of this report, the City Clerk is hereby authorized and directed to issue the proper licenses.

On motion by Alderperson Bohren and second by Alderperson Surek, the Report of Committee was accepted and adopted on call of the roll:

Ayes: Bohren, Bouck, Bowers, Dekker, Gischia, Hanna, Heidemann, Kath, Kliejunas, Montemayor, Rindfleisch, Surek, VanderWeele, Vue, Wangemann – 15.

Nays: None.

***R. C. No. 374 - 09 - 10. By PUBLIC WORKS. January 4, 2010.**

Your Committee to whom was referred the following:

1. R. O. No. 359-09-10 by the Purchasing Agent submitting bids for the purchase of industrial chemicals for the Wastewater Treatment Plant;
2. Res. No. 147-09-10 by Alderperson Kittelson authorizing the Purchasing Agent to enter into contract for the purchase of Wastewater Treatment Plant Sodium Bisulfite for 2010; and
3. Res. No. 148-09-10 by Alderperson Kittelson authorizing the Purchasing Agent to enter into contract for

the purchase of Wastewater Treatment Plant Sodium Hypochlorite for 2010; recommends that the Report of Officer be accepted and placed on file and the two (2) Resolutions be passed.

RESOLUTIONS ON SECOND READING

***Res. No. 147 - 09 - 10. By Alderperson Kittelson. December 21, 2009.**

A RESOLUTION authorizing the Purchasing Agent to enter into contract for the purchase of Wastewater Treatment Plant Sodium Bisulfite for 2010.

RESOLVED: That the Purchasing Agent is hereby authorized to enter into contract with PVS Chemicals for the purchase of approximately 30,000 gallons of sodium bisulfite in 2010, all in accordance with City of Sheboygan Bid No. 1687-10 II.

BE IT FURTHER RESOLVED: That the appropriate City Officials are hereby authorized to draw orders on the Wastewater System Fund Account No. 60138300-530410 in payment of same.

***Res. No. 148 - 09 - 10. By Alderperson Kittelson. December 21, 2009.**

A RESOLUTION authorizing the Purchasing Agent to enter into contract for the purchase of Wastewater Treatment Plant Sodium Hypochlorite for 2010.

RESOLVED: That the Purchasing Agent is hereby authorized to enter into contract with KA Steel Chemicals for the purchase of approximately 60,000 gallons of sodium Hypochlorite in 2010, all in accordance with City of Sheboygan Bid No. 1687-10 I.

BE IT FURTHER RESOLVED: That the appropriate City Officials are hereby authorized to draw orders on the Wastewater System Fund Account No. 60138300-530410 in payment of same.

MATTERS LAID OVER

Res. No. 145 - 09 - 10. By Alderperson Kittelson. December 21, 2009.

A RESOLUTION extending the listing on "The Little Red School House" at 1116 Huron Avenue from April, 2009 through March 31, 2010.

RESOLVED: That the proper City officials are hereby authorized and directed to execute a listing contract with Mary Jane Daniels of Re/Max Universal Realty to continue her listing of the City-owned property at 1116 Huron Avenue. Ms. Daniels had the original listing of the subject. The listing contract provides for a 5% commission and an initial listing price of \$89,900. The new listing contract will run until March 31, 2010.

On motion by Alderperson Gischia and second by Alderperson Montemayor, the Resolution was passed on call of the roll:

Ayes: Bohren, Bouck, Bowers, Dekker, Gischia, Hanna, Heidemann, Kath, Kliejunas, Montemayor, Rindfleisch, Surek, VanderWeele, Vue, Wangemann – 15.

Nays: None.

Res. No. 146 - 09 - 10. By Alderpersons Gischia, Kliejunas, Bohren, Montemayor and Heidemann. December 21, 2009.

A RESOLUTION to authorize a transfer of appropriations in the 2009 Budget.

RESOLVED: That the Finance Director be and is hereby authorized and directed to make the following transfers of appropriations in the 2009 Budget for the purposes of:

Establishing estimated revenue and appropriation for donation received for police canine:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
General Fund	General Fund	
Police Department	Police Department	
Contribution	Canine	
10121100-467101	10121100-649100	\$7,000

BE IT FURTHER RESOLVED: That the City Clerk publish this budget change according to §65.90(5) of the Wisconsin Statutes.

On motion by Alderperson Gischia and second by Alderperson Montemayor, the Resolution was passed on call of the roll:

Ayes: Bohren, Bouck, Bowers, Dekker, Gischia, Hanna, Heidemann, Kath, Kliejunas, Montemayor, Rindfleisch, Surek, VanderWeele, Vue, Wangemann – 15.

Nays: None.

There being no further business, on motion by Alderperson Gischia and second by Alderperson Heidemann, the meeting was then adjourned, all Alderpersons present voting "Aye".

Mayor

City Clerk