

COMMON COUNCIL

Official Proceedings of the 2011-2012 Common Council of the City of Sheboygan.

SIXTH REGULAR MEETING

The Council met: Monday, June 20, 2011.

Mayor Bob Ryan in the Chair:

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

Boeldt, Bohren, Carlson, Dekker, Hammond, Hanna, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Sampson, Van Akkeren, VanderWeele, Versey-15.

Absent and Excused: Roeseler – 1.

On motion by Alderperson Rindfleisch and second by Alderperson Dekker, the reading of the minutes of the Fifth Regular Meeting held June 6, 2011, were approved as entered on the record, all Alderpersons present voting "Aye".

CONFIRMATION OF MAYOR’S APPOINTMENTS

June 6, 3022

HONORABLE MEMBERS OF THE COMMON COUNCIL:

I hereby submit the following appointment for your consideration:

Todd Wolf to be considered for appointment to the Sheboygan Transit Commission to fill the unexpired term of Brian Vandoske whose term expires 4/30/13.

MAYOR BOB RYAN

On motion by Alderperson Rindfleisch and second by Alderperson Dekker, the foregoing Appointment was confirmed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Hanna, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Sampson, Van Akkeren, VanderWeele, Versey-15.

Nays: None.

PUBLIC FORUM

JoAnn Scribner, 3 Seneca Trail and Dick Suscha, 15 N. Point Dr. spoke.

On motion by Alderperson Rindfleisch and second by Alderperson Dekker, JoAnn Scribner was given an extra minute to speak.

MAYOR’S ANNOUCEMENTS

On motion by Alderperson Rindfleisch and second by Alderperson Dekker, the following documents notated with an asterick (*) were accepted and placed on file, accepted and adopted, or passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Hanna, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Sampson, Van Akkeren, VanderWeele, Versey-15.

Nays: None.

COMMUNICATIONS AND PETITIONS

Com. No. 4 - 11 - 12. June 20, 2011.

Submitting a communication from Carol Reineking stating she has concerns regarding parking on the corner of N. 27th Pl. and Geele Ave. as approaching from N. 27th Pl. on to Geele Ave., vision is obstructed looking to the east due to the spacing of parked vehicles.

Was referred to the Committee on Public Protection and Safety.

REPORTS OF OFFICERS

***R. O. No. 76 - 11 - 12. By BOARD OF ELECTRICAL EXAMINERS. June 20, 2011.**

Pursuant to State of Wisconsin Comm. 5 and City of Sheboygan Municipal Code, Section 26-355, the following licenses have been issued:

<u>APPLICATION #</u>	<u>NAME AND ADDRESS</u>	<u>TYPE OF LICENSE</u>
1425	Troy Kieffer N1308 Westgreen Dr Greenville, WI 54942	Electrical Contractor

***R. O. No. 77 - 11 - 12. By BOARD OF ELECTRICAL EXAMINERS. June 20, 2011.**

Attached hereto we are submitting the following application for an electrical license:

<u>APPLICATION #</u>	<u>NAME AND ADDRESS</u>	<u>TYPE OF LICENSE</u>
1424	James A Theune	Plant Electrician License

W2683 Homestead Dr
Sheboygan Falls, WI 53085

***R. O. No. 78 - 11 - 12. By BUILDING INSPECTION DEPARTMENT. June 20, 2011.**

We hereby submit the report of the Building Inspection Department for the month of MAY 2011.

CASH RECEIPTS

	May 2011	May 2010	Contractors
Licenses	2,950.00	4,930.00	
Building Permits	19,269.25	26,188.20	
Projecting Sign Fees	4,065.00	3,285.00	
Electrical Permit Fees	10,705.00	5,675.00	
Heating Permit Fees	2,580.00	7,185.00	
Sales Tax	10.35	4.37	
Plumbing Permit Fees	4,288.00	1,896.00	
Sewer Permit Fees	3,500.00	500.00	
Occupancy Permit Fees	100.00	750.00	
Board of Appeals	450.00	0.00	
Misc. General Revenue	243.15	86.75	
Plan Examining Fees	850.00	2,320.00	
Code Books	0.00	0.00	
State Stamps	80.00	120.00	
Rooming House Permit Fees	0.00	0.00	
Erosion Control Fees	200.00	300.00	
Penalty Fees	345.00	435.00	
Cash Over, Short or Refund	25.00-	233.40-	
Contractors Escrow	29.00-	2,415.44	
Weight & Measure license	110.00	1,536.00	
TOTAL:	49,691.75	57,393.36	

BLDG. PERMIT CLASSIFICATION	NUMBER OF PERMITS		COST OF CONSTRUCTION		FEEES	
	2011	2010	2011	2010		
ONE-FAMILY RESIDENCE	2	3	274,000.00	558,000.00	800.00	1,590.00
TWO-FAMILY RESIDENCE						
CONDOMINIUM						
GARAGES, CARPORTS	2	4	17,960.00	33,400.00	211.20	560.00
NEW COMMERCIAL		2		1,836,690.00		5,482.50
NEW MISC -NON RES.						
STORAGE BLDG -RES.	3	3	12,600.00	35,000.00	359.20	380.80
STORAGE BLDG - NON-RES		1		23,000.00		145.20
ALT & ADD'NS -RES.	162	163	942,020.00	888,939.85	11,260.60	11,170.50
ALT & ADD'NS - NON-RES	8	5	268,583.31	362,339.32	2,710.00	3,660.00
WRECKING	2	2	11,320.00	64,000.00	192.00	739.20
MOVING		1		500.00		50.00
SIGNS	9	6	114,144.00	13,028.00	1,256.25	400.00

						June 20, 2011	
FENCES/POOLS/DECKS/DRIVEWAYS	53	46	110,142.00	74,587.00	2,180.00	2,436.00	
TANKS							
MISCELLANEOUS	3	2			300.00	50.00	
TOTALS	244	238	1,750,769.31	3,889,484.17	19,269.25	26,188.20	
PERMIT TYPES	#OF PERMITS						
ELECTRICAL	41	49	419,800.00	154,716.00	10,705.00	5,675.00	
HEATING	29	41	143,657.00	394,728.00	2,580.00	7,185.00	
PLUMBING	25	3			4,288.00	1,896.00	
SEWER	7	1			3,500.00	500.00	
TOTALS	102	114	563,457.00	549,444.00	21,073.00	15,256.00	
GRAND TOTALS OF THE ABOVE	346	352	2,314,226.31	4,438,928.17	40,342.25	41,444.20	

***R. O. No. 79 - 11 - 12. By CITY CLERK. June 20, 2011.**

Submitting various license applications.

CARNIVAL LICENSE

<u>No.</u>	<u>Name</u>	<u>Address</u>
1338	Sheboygan Jaycees Foundation	PO Box 561/Kiwanis Park
1353	Sheb. Yacht Club	214 Pennsylvania Ave.

TEMPORARY CLASS "B" LICENSE

<u>No.</u>	<u>Name</u>	<u>Address</u>
1842	Early Bird Rotary Foundation	Fountain Park – one-day event to be held 7/22/11 to include all of Fountain Park.
1382	St. Spyridon Greek Church	1425 S. 10 th St. – two-day event to be held 7/23/11 to 7/24/11 at Deland Park.
1338	Sheboygan Jaycees Foundation	PO Box 561 – three-day event to be held 8/4/11 to 8/6/11 at Kiwanis Park.
1794	Sheboygan Jaycee's	PO Box 561 – one-day event to be held 7/4/11 in part of Deland Park.
2541	Sheboygan Visual Artists	1201 Erie Ave. – one-day event to be held 6/24/11 to include Main floor gallery.

TEMPORARY BEVERAGE OPERATOR'S APPLICATION

<u>No.</u>	<u>Name</u>
9151	Boettner, Jason M.
8610	Stolpa, Nathaniel H.
9167	Walecka, Georgeann C.
7971	Walecka, Mark J.
3047	Wallner, Terri A.

SECONDHAND DEALER LICENSE APPLICATION (December 31, 2011)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2835	Relaxation Station	1030 Michigan Ave.

***R. O. No. 80 - 11 - 12. By CITY PLAN COMMISSION. June 20, 2011.**

Your Commission to whom was referred Gen. Ord. No. 3-11-12 and R. O. No. 6-11-12 relative to granting Joint Venture Rentals, LLC the privilege of encroaching upon described portions of Michigan Avenue located at 920 Michigan Avenue; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, June 14, 2011, and after due consideration, recommends the documents be placed on file.

***R. O. No. 81 - 11 - 12. By REDEVELOPMENT AUTHORITY. June 20, 2011.**

Your Authority to whom was referred R. O. No. 43-11-12 relative to a communication from Amy Gutierrez, Tourism Director of the Sheboygan County Chamber of Commerce requesting use of Redevelopment Authority owned property on South Pier for 4th of July activities; recommends approval of the request with the condition a Hold Harmless Agreement is executed.

R. O. No. 82 - 11 - 12. By CITY PLAN COMMISSION. June 20, 2011.

Your Commission to whom was referred R. O. No. 33-11-12 relative to submitting a communication from Larry Hinkelman, Board President of the Wisconsin Naval Ship Association (WINSA), requesting the City relinquish its Right of First Refusal on the Alliant Energy property, 824 South 8th Street; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, June 14, 2011, and after due consideration, recommends approval of the request with the condition that WINSA closes on the property by July 15, 2011 as stated in their offer to purchase.

On motion by Alderperson Sampson and second by Alderperson Dekker, the Report of Officer was accepted and placed on file on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Hanna, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Sampson, Van Akkeren, VanderWeele, Versey-15.

Nays: None.

R. O. No. 83 – 11 – 12. By BOARD OF PARK & FORESTRY COMMISSIONERS. June 20, 2011.

The Board of Park & Forestry met and discussed R.O. 56-11-12 regarding an agreement between Community Bank & Trust and the Sheboygan Softball Association to award naming rights of the current park, Wildwood Softball Complex to be named Community Bank & Trust Softball Fields, from 2011 through the 2015 season. The Board of Park & Forestry recommends accepting and placing on file R. O. No. 56-11-12 and approve the request contingent on staff and the SSA agreeing to terms.

On motion by Alderperson Bohren and second by Alderperson Heidemann, the Report of Officer was accepted and placed on file on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hanna, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Sampson, Van Akkeren, VanderWeele, Versey-14.

Nays: None.

Abstain: Hammond – 1.

R. O. No. 84 – 11 – 12. By FINANCE DIRECTOR/TREASURER. June 20, 2011.

Submitting the Annual Financial Report of the City of Sheboygan for the year ended December 31, 2010, prepared by Schenck SC.

Was referred to the Committee on Finance.

R. O. No. 85 - 11 - 12. By CITY CLERK. June 20, 2011.

Submitting a Retail Alcohol License Transfer – Person to Person from Florence Rimkus, Armory Bar, 520 N. 4th St., to her personal representative Benedict M. Rimkus.

Was referred to the Committee on Law and Licensing.

R. O. No. 86 - 11 - 12. By CITY CLERK. June 20, 2011.

Submitting various license applications for the period ending June 30, 2012 and June 30, 2013.

Was referred to the Committee on Law and Licensing.

R. O. No. 87 - 11 - 12. By CITY CLERK. June 20, 2011.

Submitting a communication from Nick Crneckiy stating that there is a safety hazard at the intersection of N. 9th St. and New York Ave. as the 3 metered parking spots along the side of the Fire Station are usually parked with vans and truck and it's impossible to see oncoming traffic.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 88 - 11 - 12. By CITY CLERK. June 20, 2011.

Submitting a communication from the Wisconsin Department of Corrections filing an appeal to the Sex Offender Residency restrictions on behalf of State inmate Brian Christel in order for him to be placed at a Transitional Living Placement located at one of the following locations depending on availability: 930A Michigan Ave. or 1123 or 1125 N. 14th St.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 89 - 11 - 12. By CITY CLERK. June 20, 2011.

Submitting a communication from Gloria Karstaedt requesting that some of the signs in front of her house be moved as she has difficulty cutting the grass around them.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 90 - 11 - 12. By CITY CLERK. June 20, 2011.

Submitting a communication from Ronald Savela Jr. requesting a waiver from the Sex Offender Residency restrictions to be able to live at 1127 N. 8th St.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 91 - 11 - 12. By CITY CLERK. June 20, 2011.

Submitting a communication from Amy Wilson, Tourism Director for the Sheboygan County Chamber of Commerce, requesting that the Common Council consider installation of a Surfing Sculpture at Deland Park.

Was referred to the Committee on Public Works.

R. O. No. 92 - 11 - 12. By CITY CLERK. June 20, 2011.

Submitting a claim from Lori A. Bubb for alleged injuries when she slipped and fell on ice on the southwest corner of S. 8th St. and Pennsylvania Ave.

Was referred to the Special Committee on Risk Management.

R. O. No. 93 - 11 - 12. By CITY CLERK. June 20, 2011.

Submitting a claim from Lester Pierce for a bathroom light that isn't working due to road work in the area.

Was referred to the Special Committee on Risk Management.

RESOLUTIONS INTRODUCED

Res. No. 29 - 11 - 12. By Alderperson Bohren. June 20, 2011.

A RESOLUTION informing the Wisconsin Department of Natural Resources (WDNR) of that the 2010 Compliance Maintenance Annual Report (CMAR) has been reviewed:

RESOLVED: That the City of Sheboygan hereby informs the WDNR that the Common Council has reviewed the 2010 CMAR, which is attached to this resolution.

BE IT FURTHER RESOLVED: That the Bio-solids Quality and Management section of the 2010 CMAR having received a Grade of "F" requires the City to make improvements to the Solids Management Practices at the Wastewater Treatment Plant and the staff with the help of a consultant has identified solids management issues/constraints and is in the process of developing a facilities plan to either reduce bio-solids production or increase bio-solids storage to meet the required storage.

BE IT FURTHER RESOLVED: That the other sections of the 2010 CMAR having received a Grade of "A" require no further action by council.

BE IT FURTHER RESOLVED: That the 2010 CMAR be accepted and placed on file.

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

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

Ayes: Boeldt, Bohren, Carlson, Dekker, Hanna, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Sampson, Van Akkeren, VanderWeele, Versey-15.

Nays: None.

Res. No. 30 - 11 - 12. By Alderperson Hammond. June 20, 2011.

A RESOLUTION approving the terms and conditions of the Ground Lease between the Redevelopment Authority and Office Service Company, LLP for the former Triple Play property on South Pier.

RESOLVED: Contingent upon terminating the existing ground lease between the Redevelopment Authority and Triple Play Real Estate, LLC, the City of Sheboygan hereby approves the terms and conditions of a new Ground Lease by and between the Redevelopment Authority and Office Service Company, LLP for the former Triple Play property on South Pier, in form substantially similar to the document attached hereto and incorporated herein by this reference.

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

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

Ayes: Boeldt, Bohren, Carlson, Dekker, Hanna, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Sampson, Van Akkeren, VanderWeele -14.

Nays: None.
 Abstain: Versey – 1.

Res. No. 31 - 11 - 12. By Alderpersons Hanna, Hammond, Bohren, Kittelson and Rindfleisch. June 20, 2011.

A RESOLUTION approving a Substantial Amendment to the FY 2011 Program Year Allocation for the Community Development Block Grant (CDBG) Program.

WHEREAS, by Res. No. 192-10-11 dated January 17, 2011, the Common Council approved the FY 2011 One Year Annual Action Plan for the City's Community Development Block Grant (CDBG) submission;

WHEREAS, the City of Sheboygan has been notified from the U.S. Department of Housing and Urban Development that our yearly allocation has been reduced by 16% or a decrease of \$187,512.00;

WHEREAS, \$1,169,065 in entitlement Community Development Block Grant (CDBG) funds was estimated in 2011 and the City of Sheboygan has been officially notified that the City will receive \$981,553;

WHEREAS, the Strategic Fiscal Planning Committee has recommended to the Common Council that it approve the revisions of allocations for Community Development Objectives and Proposed Use of Funds; and

WHEREAS, the Strategic Fiscal Planning Committee recommends the allocation of funds for distribution be revised as follows:

Homeless Facilities	\$ 38,000
Street Improvements	\$495,000
NRSA No. 1 Officers	\$ 80,000
Partners for Community Development	\$ 22,500
Rebuilding Together	\$ 30,000
Sheboygan Housing Assistance Center	\$ 24,424
Salvation Army Emergency Shelter	\$ 10,500
Sheboygan County Interfaith Organ.	\$ 4,921
Family Service Association	\$ 4,921
Hmong Association	\$ 11,974
Safe Harbor	\$ 7,385
Home, Inc.	\$ 9,750
Mental Health America	\$ 1,875
Sheboygan Transit	\$ 42,493
Family Connections	\$ 1,500
Program Administration	\$196,310

WHEREAS, the Common Council has reviewed and hereby approves the Citizens Participation Plan for the development of this submission; and

WHEREAS, the Common Council finds that it is in the City's best interest to secure the FY 2011 reduced allocation of funds for the activities approved by the Strategic Fiscal Planning Committee.

NOW, THEREFORE, BE IT RESOLVED: That the Common Council authorizes and directs the Mayor to submit TO HUD this Substantial Amendment to the FY 2011 Program Year Allocation for the CDBG Program Objectives and the revised Proposed Use of Funds, as recommended by the Strategic Fiscal Planning Committee, and to provide any other information requested by HUD.

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

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

Ayes: Boeldt, Bohren, Carlson, Dekker, Hanna, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Sampson, Van Akkeren, VanderWeele, Versey-15.

Nays: None.

Res. No. 32 - 11 – 12. By Alderpersons Hammond, Rindfleisch, Bohren, Matichek and Van Akkeren. June 20, 2011.

A RESOLUTION to authorize a transfer of appropriations in the 2011 Budget.

RESOLVED: That the Finance Director be and is hereby authorized and directed to make the following transfer of appropriations in the 2011 Budget for the purposes of:

Lies over under the rules.

Res. No. 33 - 11 - 12. By Alderpersons Hammond, Rindfleisch, Bohren, Matichek and Van Akkeren. June 20, 2011.

A RESOLUTION authorizing purchase of a replacement vehicle for WSCS Cable TV.

WHEREAS, Shoreline Metro has a vehicle available,

Lies over under the rules.

Res. No. 34 - 11 – 12. By Alderperson Hammond. June 20, 2011.

A RESOLUTION to authorize a transfer of appropriations in the 2011 Budget.
Was referred to the Committee on Finance.

REPORTS OF COMMITTEES

***R. C. No. 54 - 11 – 12. By PUBLIC PROTECTION AND SAFETY. June 20, 2011.**

Your Committee to whom was referred Com. No. 2-11-12 from Michael Toth being an article from the Milwaukee Journal/Sentinel entitled, "Trainee Feels The Heat, Sweat, Fear"; recommends that the document be placed on file.

***R. C. No. 55 - 11 - 12. By PUBLIC WORKS. June 20, 2011.**

Your Committee to whom was referred Com. No. 3-11-12 from Luke Mattek, President/Coach Sheboygan Area Rugby Football Club, concerning the use of a city field for their football club; recommends that the Communication be accepted and placed on file and to have the staff work with the club to find a suitable park for them to use.

R. C. No. 56 - 11 - 12. By FINANCE. June 20, 2011.

Your Committee to whom was referred Com. No. 1-11-12 by Alderperson Sampson from Peter Mayer, member of the Board of Directors of the Sheboygan Youth Sailing Club, Inc., requesting that the utilities charges billed to the City since January of 2009 for the Youth Sailing facility be waived; recommends that the Communication be placed on file and to deny waiving the utility charges.

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

Ayes: Boeldt, Bohren, Dekker, Hammond, Hanna, Kath, Kittelson, Rindfleisch, Sampson, Van Akkeren, VanderWeele— 11.

Nays: Carlson, Heidemann, Matichek, Versey— 4.

***R. C. No. 57 - 11 - 12. By SPECIAL COMMITTEE ON RISK MANAGEMENT. June 20, 2011.**

Your Committee to whom was referred R. O. No. 25-11-12 by the City Clerk submitting a communication from St. Mark Lutheran Church requesting a refund of 2010 paid property taxes for the property at 607 Erie Ave.; recommends that the claim be denied and to direct the City Attorney to send a Notice of Disallowance.

R. C. No. 58 - 11 - 12. By SPECIAL COMMITTEE ON RISK MANAGEMENT. June 20, 2011.

Your Committee to whom was referred R. O. No. 44-11-12 by the City Clerk submitting a claim from Travelers Home and Marine Insurance Company on behalf of their insured Alan A. Pentek for alleged damages to his vehicle when a snow plow struck his unoccupied car; recommends that the Report of Officer be accepted and placed on file and approve a payment of \$1,788.90.

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

Ayes: Boeldt, Carlson, Dekker, Hammond, Hanna, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Sampson, Van Akkeren, Vander Weele, Versey — 14.

Nays: None.

Abstain: Bohren — 1.

***R. C. No. 59 - 11 - 12. By SPECIAL COMMITTEE ON RISK MANAGEMENT. June 20, 2011.**

Your Committee to whom was referred R. O. No. 45-11-12 by the City Clerk submitting a claim from Justine Nimmer for alleged damages to her vehicle when a City plow hit the left side of her car; recommends that the claim be denied and direct the City Attorney to send a Notice of Disallowance.

***R. C. No. 60 - 11 - 12. By PUBLIC PROTECTION AND SAFETY. June 20, 2011.**

Your Committee to whom was referred R. O. No. 60-11-12 by the Building Inspection Department submitting their report for the month of March and April 2011 and R. O. No. 66-11-12 by the Fire Chief submitting the 1st quarter EMS Quality Assurance and Quality Improvement Report; recommends that the document be accepted and adopted on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Hanna, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Sampson, Van Akkeren, Vander Weele, Versey — 15.

Nays: None.

***R. C. No. 61 - 11 - 12. By SPECIAL COMMITTEE ON RISK MANAGEMENT. June 20, 2011.**

Your Committee to whom was referred R. O. No. 70-11-12 by the City Clerk submitting a claim from Antonio Lopez for alleged damages when he was stopped by the Police, patted down and a pocket knife was taken from him and

put on the police car and the knife was misplaced; recommends that the Report of Officer be accepted and filed and to pay the claim in the amount of \$39.98.

***R. C. No. 62 - 11 - 12. By SPECIAL COMMITTEE ON RISK MANAGEMENT. June 20, 2011.**

Your Committee to whom was referred R. O. No. 71-11-12 by the City Clerk submitting a claim from TransPac Solutions, agent for Auto Club a/s/o Justine Bakes, for alleged damages to her vehicle when it was struck by a City snow plow; recommends that the Report of Officer be accepted and placed on file and to pay the claim in the amount of \$5,230.50.

***R. C. No. 63 - 11 - 12. By LAW AND LICENSING. June 20, 2011.**

Your Committee to whom was referred, pursuant to R. O. No. 38-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that the following licenses be granted:

BEVERAGE OPERATOR'S LICENSE (NEW) (June 30, 2013)

No.	Name
9072	Evans, Marianne M.

BEVERAGE OPERATOR'S LICENSE (RENEWAL) (June 30, 2013)

No.	Name
6879	Lopez, Cindia

TAXICAB OPERATOR LICENSE (NEW) (June 30, 2012)

No.	Name
9075	Bower, James J.

9065	Rejholec, Derek L.
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TAXICAB OPERATOR LICENSE (RENEWAL) (June 30, 2012)

No.	Name
8147	Galicia, Jorge A.

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

***R. C. No. 64 - 11 - 12. By LAW AND LICENSING. June 20, 2011.**

Your Committee to whom was referred, pursuant to R. O. No. 57-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that the following licenses be granted:

BEVERAGE OPERATOR'S LICENSE (NEW) (June 30, 2013)

No.	Name
9085	Amys, Danielle M.
9129	Bates, Cera A.
9099	Bennett, Nicole J.
9092	Bogart, Cady J.
9078	Christel, Jessica L.
9138	Freriks, Zachery S.
9084	Gilbertson, Stephanie D.
9086	Goode, James J.
9096	Hafemann, Joseph D.
9089	Huffer, Robin M.
9140	Hungerford, Evelyn R.
9128	Jelinek-Zittel, Scott J.
7823	Knoblock, Michelle J.
9091	Lomibao, Shakari L.
9098	Magray, Kimberly E.
9122	Michaels, Joel P.
5631	Mueller, Tiffany M.
9132	Olivas, Juan A.
3968	Ramey, Paulette J.
9095	Ries, Rebecca M.
9133	Servant, Joseph Raymond
9088	Shaw, Joshua B.
7016	Svoboda, Marvin R.
9079	Thelen, Jennifer G.
5212	Vidimos, Mike E.
9083	Von Der Puetten, Frank

6855 Wagner, Alexander D.
 9131 Wagner, Rebecca L.
 9135 Weber, Jennifer L.
 2355 Ziegler, Jan M.
BEVERAGE OPERATOR'S LICENSE (RENEWAL) (June 30, 2013)

<u>No.</u>	<u>Name</u>
8223	Aguilar, Michelle
6249	Allman, Jeffrey D.
7012	Alvarez, Alex D.
7538	Beeck, Michael K.
1200	Beenen, Donna J.
7509	Beniger, Amanda M.
3939	Bourassa, Kelly L.
1186	Boyle, Linda S.
2676	Brand, Peg A.
7863	Brendel, Katie A.
6094	Brusky, Ann L.
4515	Bukovic, Nadine A.
3350	Burhop, Robin A.
1158	Burke, Jacklyn J.
7846	Burt, Jesse A.
1165	Buss, Clinton P.
7753	Canon, Jodelle B.
7712	Carey, Peter L.
2482	Chavez, Angie C.
8282	Conrad, Lisa M.
5433	Cordle, Alexia J.
4040	Darbant, Michael J.
6659	Daun, Eric J.
8556	Deamico, Debra L.
6906	Deligiannis, Nick J.
8512	Devine, Traci L.
3600	Dolgner, Randall
1774	Doyle, Kathy L.
7468	Draughon, Roman J.
7704	Eckel, Carl F.
6058	Edler, Tammy L.
4744	Emmrich, Charity R.
8370	Engeldinger, David A.
2968	Feudner, Kenneth R.
8384	Fischer, Cindy L.
2913	Freitag, Lawrence H.
1350	Gabrielse, Linda S.
8499	Gahagan, Russell A.
5170	Gilbertson, Stephen J.
6038	Goedeke, Lisa M.
6149	Greger, Kimberly A.
8492	Gruenke, Barbara M.
1435	Gumtow, Michelle
6198	Hagerman, Ashley E.
5597	Hansen, Kevin J.
9080	Hasenstein, William C.
8270	Heitzmann, Adam J.
1487	Herber, James L.
8252	Hocking, Deborah S.
8427	Hoepfner, Jerome W.
8365	Housey, Amy E.
5157	Housey, Cesar A.
6042	Hurrie, Kathryn A.

2084 James, Coralie S.
 3004 Jeanty, Bruce D.
 6954 Jeske, Robert E.
 8232 Johnson, Stephanie M.
 7521 Kapitz, David L.
 3998 King Jr., Robert W.
 8454 Kirsch, Rod E.
 2947 Kleeman, Richard A.
 6155 Kleine, Selia M.
 5346 Kreutz, Michael S.
 1703 Kuehlmann, Sherry A.
 5472 Kulow, Mary A.
 5598 Kussard, Gary L.
 6780 Liebelt, Kristin L.
 8388 Lawrence, Carole A.
 4680 Lombardo, Mary J.
 8436 Lomibao, Jessica M.
 1769 Lorenz, Ann J.
 8289 Madson, James A.
 8263 Marr, Kyle F.
 1730 Marroquin, Maria T.
 6968 McFarland, Lloyd P.
 8466 McMahan, Susan M.
 8485 Medina, Eric
 7488 Medina, Helen S.
 1838 Meinhardt, David
 8552 Meise, Mark L.
 1856 Metscher, Maryann H.
 7676 Meulbroek, Robert W.
 2575 Miller, Jackie M.
 8520 Mondloch, Leah K.
 1919 Norris, Mary J.
 6196 Nyhuis, Kevin S.
 6805 Oelhafen, Vanessa A.
 4373 Olsen, Brian P.
 4956 Opgenorth, Andrew L.
 7051 Paarmann, Stefany M.
 1954 Peaschek, Daniel R.
 1956 Peloquin, William D.
 2353 Pierce, Tina M.
 5980 Pirrung, Sarah A.
 8428 Pitschler, Suzanne M.
 7511 Pragatz, Daniel J.
 1992 Procek, Edward J.
 1993 Procek, Susan L.
 5750 Pups, James R.
 6618 Rabe, Elizabeth M.
 2497 Reineking, Janelle G.
 2038 Richter, Joseph M.
 8500 Roberts, Lisa M.
 4284 Rohde, Shirley A.
 8378 Ross, Cheryl K.
 7528 Rudd, Jacqueline J.
 4674 Ruppel, Sandra L.
 7064 Samplaski, Crystal M.
 2083 Scheunert, James S.
 1925 Schmidt, Rebecca L.
 2097 Schmitt, Clayton P.
 2098 Schmitt, Donald L.

8354 Schnur, Kimberly M.
 6201 Schultz, Vanessa R.
 4858 Schwab, William B.
 7621 Skrube, Lisa L.
 7507 Spender, Jessica J.
 2177 Stangel, Eugene J.
 5559 Steinbruecker, John H.
 2735 Stoelb, Lori A.
 8279 Stolpa, Alecia M.
 5985 Strohmeier, Joseph J.
 8254 Strysick, Harve R.
 6967 Swoverland, Berta
 6905 Swoverland, Kim A.
 2219 Tauferner, Richard M.
 2229 Thiel, Joyce W.
 2241 Trilling, Jane A.
 6231 Uribe, Silvia
 2257 Van Veghel Jr., John
 7839 Vang, Pang
 3028 Vick, Cathy A.
 5374 Vidimos, Melodie A.
 8331 Vitale, Umberto
 2274 Vreeke, Paul L.
 5625 Walker, Christine A.
 2293 Weber, Sally A.
 6831 Westcott, Adam
 6802 Winkelhorst, Dawn L.
 6826 Worth, Kathleen
 2688 Wriedt, Laurie L.
 2357 Ziegler, Thomas M.
 8379 Zietz, Michelle M.
 7394 Zimmerman, Holly A.

TAXICAB OPERATOR LICENSE (NEW) (June 30, 2012)

<u>No.</u>	<u>Name</u>
9125	Doebert, Dennis C.
7931	Krejci, Timothy D.
6977	Lehmann, Edwin R.
7585	Loya, Esteban J.
9124	Olbrantz, Robert J.

TAXICAB OPERATOR LICENSE (RENEWAL) (June 30, 2012)

<u>No.</u>	<u>Name</u>
6090	Allmann, Michele R.
8711	Billie, Clarie R.
8863	Castillo, Ivan V.
8438	Castillo, Salvador G.
6305	Fish, Roxanne M.
3231	Galicia, Christina M.
5224	Gaumer, Michael B.
7292	Gering, Roger E.
7483	Gollihue, Charlotte A.
4978	Hunt, Denise L.
7543	Jolitz, Kathy J.
5558	Kinate, Stephen D.
8830	Marks, Paul S.
3490	Miller, Lee A.
7701	Mohr, Charles T.
8196	Nytes, Allan J.
7390	Olivas, Salvador
6742	Razo, Jose A.

7805 Reiner, Michael G.
 6311 Sanford, Ronald J.
 5842 Sanstadt, Theodore T.
 7731 Santana, Reynel
 8860 Santana, Susan M.
 6948 Schneider, Gordon J.
 7308 Siegl, Andrew W.
 5921 Turk, David L.
 4859 Turk, Sara K.
 3718 Vernick, Kim J.
 8666 Woodward, Steve E.

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

***R. C. No. 65 - 11 - 12. By LAW AND LICENSING. June 20, 2011.**

Your Committee to whom was referred, pursuant to R. O. No. 58-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that the following licenses be granted:

CHANGE OF PREMISE

<u>No.</u>	<u>Name</u>	<u>Address</u>
1809	The Wharf	733 Riverfront Dr. – one-day event to be held 7/20/2011 to include parking south of Bldg. between the Wharf, Duke of Devon and the boardwalk.
1809	The Wharf	733 Riverfront Dr. – two-day event to be held 8/13/11 to 8/14/11 to include parking south of Bldg. between the Wharf, Duke of Devon and the boardwalk.
2726	JMKAC	608 New York Ave. – one-day events to be held 6/30/11 & 8/18/11 to include the outdoor patio, 2 sculpture gardens, birdbath garden & main patio entrance.

CIGARETTE/TOBACCO LICENSE (June 30, 2012)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2389	Epicure Lounge, The	1116 Michigan Ave.
2738	SH Tobacco – Sheboygan	2529 S. Business Dr.
1392	Suscha News, LLC	1117 N. 8 th St.

“CLASS A” LIQUOR LICENSE (June 30, 2012)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2821	Festival Foods	595 S. Taylor Dr.
2765	Jakes Liquor I	2019 S. Business Dr.
2825	Pick N Save #6433	2633 S. Business Dr.
2516	Pick N Save #6340	2213 Calumet Dr.
2518	Pick N Save #6432	1317 N. 25 th St.

CLASS “A” FERMENTED MALT BEVERAGE (June 30, 2012)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2606	Citgo	610 S. 14 th St.
2404	Dicks Northeast Standard I	905 Erie Ave.
2336	El Durango	1035 Indiana Ave.
2599	Las Dos Hermanas II	1125 Michigan Ave.
2816	Marathon Harbor Petro	905 Indiana Ave.
2631	North 8 Oriental Store	2002 N. 8 th St.
2374	Save-A-Lot	1817 N. 8 th St.
2581	South Side Clark	1710 Indiana Ave.
2710	The Pig Stop II	2917 N. 15 th St.
2088	Walgreens #6570	1029 N. 14 th St.
2601	Walgreens #12020	2702 Calumet Dr.
1424	Walgreens #06097	3320 S. Business Dr.

“CLASS B” LIQUOR LICENSE (Renewal) (June 30, 2012)

<u>No.</u>	<u>Name</u>	<u>Address</u>
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1005	Al & Als Bar & Grill	1502 S. 12 th St.
1025	Armory Bar	520 N. 4 th St.
2805	Blue Harbor Resort I	725 Blue Harbor Dr.
1035	Blue Lite, The	1029 N. 8 th St.
2381	Bourbon Street Pub & Grill	1536 Indiana Ave.
1912	Brisco County Wood Grill	539 Riverfront Dr.
1771	Bumps	1902 S. 12 th St.
1419	Bunker, The	1138 Union Ave.
2123	CJ's Shipwrecked	902 Indiana Ave.
1067	CityStreets Riverside	712 Riverfront Dr.
2741	Clairmont's Northstar I	3004 N. 8 th St.
2593	Classics	2123 N. 15 th St.
1260	Cove, The	1235 Indiana Ave.
1089	Daves Whos Inn	835 Indiana Ave.
1092	Diamond Daves Taco Co	3347 Kohler Memorial Dr.
1101	Dougs Skiper Inn	808 Broadway
2373	Duke of Devon, The	739 Riverfront Dr.
2121	El Camino	823 Michigan Ave.
1752	End Zone, The	904 Indiana Ave.
2758	Finer Things in Life I	840 Wilson Ave.
2383	Green Room, The	911 Indiana Ave.
2584	Guadalajara Mex Bar & Grill	1129 S. 8 th St.
2716	Happy Valley	1509 S. 12 th St.
2386	Harmony Bar I	1336 Niagara Ave.
2428	Highland House	820 Indiana Ave.
1734	Holiday Inn-Express	3823 Germaine Ave.
1926	Il Ritrovo	515 S. 8 th St.
1810	Jakums	2601 N. 15 th St.
2726	John Michael Kohler Arts	608 New York Ave.
2806	Katana	920 Michigan Ave.
2807	Knights of Columbus I	833 Center Ave.
2085	Legend Larrys Wings & Things	733 Pennsylvania Ave.
1795	Luigis Italian Restaurant	2910 Kohler Memorial Dr.
2275	M. T. Wine Glass	1949 N. 8 th St.
2740	Mannings Irish Pub	3015 N. 15 th St.
1217	Maple Lanes	3107 S. Business Dr.
1936	Margaux	821 N. 8 th St.
2301	Mojo	1235 Pennsylvania Ave.
1233	Mucky Duck Shanty, The	701 Riverfront Dr.
1234	Muellers Bar	1501 Union Ave.
2502	Nine 21 Bar & Grill LLC	1501 S. 8 th St.
1239	Ninos Steak Round Up	2724 Kohler Memorial Dr.
1699	On The House	1153 High Ave.
2150	Osteria Nonna Maria	1402 S. 8 th St.
1252	Peteks Tavern	2702 S. 8 th St.
2781	Playa Acapulco	1224 Weeden Creek Rd.
1267	Poor Richards	1105 Geele Ave.
2789	Poseidons	434 Pennsylvania Ave.
1288	Riverview Club	626 N. 15 th St.
1303	Rupps Lodge	925 N. 8 th St.
2135	Sandee's Cool Runnings	1202 Michigan Ave.
1680	Scenic Bar LLC	1635 Indiana Ave.
1337	Sheboygan Elks Lodge #299	1943 Erie Ave.
1345	Sheboygan Outboard Club	732 N. Water St.
1286	Sheboygan Riverside Boat	1228A Wisconsin Ave.
1353	Sheboygan Yacht Club	214 Pennsylvania Ave.
1360	Slys Midtown Saloon	508 N. 8 th St.
2030	Speakeasy, The	1002 Michigan Ave.
2376	Swovys LLC	1645 S. 12 th St.

2142	Talk of the Town	3023 N. 15 th St.
2020	Terrys	1028 Lincoln Ave.
2245	Thai Café Restaurant	1227 N. 14 th St.
2566	That Place on 8 th I	1432 S. 8 th St.
2556	The Spot Bar & Grill	1515 New Jersey Ave.
1411	Tommys Bar	2335 N. 15 th St.
1412	Trattoria Stefano	522 S. 8 th St.
1083	Vibez	2513 S. 8 th St.
2513	Vreekes Tavern I	935 Michigan Ave.
1764	Water Street Pub	931 N. 12 th St.
2029	Weill Center	826 N. 8 th St.
2760	Weimanns Sport Center	4604 S. Business Dr.
2100	Whats Up	1635 Michigan Ave.
2427	Urbane	1231 N. 8 th St.

CLASS "B" FERMENTED MALT BEVERAGE (June 30, 2012)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2409	AmericInn	3664 S. Taylor Dr.
2711	Anglers Avenue	510 South Pier Dr.
2796	Charcoal Inn South	1313 S. 8 th St.
2299	Chinatown Kitchen	1107 N. 8 th St.
2706	Fayes Pizza	1821 Calumet Dr.
2712	Joses	1332 S. 13 th St.
2445	La Conquistadora LLC I	1218 Indiana Ave.
2598	New China Buffet	571 S. Taylor Dr.
2478	Nickys Pizza	1735 Calumet Dr.
1371	Sheboygan Softball Assoc.	2213 New Jersey Ave.
2767	Thai Lotus	1119 Michigan Ave.
2339	Toy's Thai Laos Restaurant	1229 N. 8 th St.
1809	Wharf, The	733 Riverfront Dr.

"CLASS C" WINE (June 30, 2012)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2409	Americinn	3664 S. Taylor Dr.
2706	Fayes Pizza	1821 Calumet Dr.
2598	New China Buffet	571 S. Taylor Dr.
2604	Z Spot	1024 Indiana Ave.

TAXICAB BUSINESS LICENSE (June 30, 2012)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2694	City Taxi	1512 S. 21 st St.
2574	Custom Care & Transport	N3803 Horace Mann Rd., Sheboygan Falls
2778	Custom Express Courier	805 Chicago St., Sheboygan Falls
2572	Lakeshore Transportation	426B Factory St., Plymouth
2509	Santanas Limo	2724 Main Ave.

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

R. C. No. 66 - 11 - 12. By LAW AND LICENSING. June 20, 2011.

Your Committee to whom was referred Gen. Ord. No. 10-11-12 by Alderperson Hanna repealing and recreating Subsection 70-6(a)(2) of the Municipal Code so as to clarify the definition of an enclosed place in the statewide smoking ban and to eliminate Section 3 of Gen. Ord. No. 61-10-11, as amended on May 2, 2011, which read "All existing facilities that properly applied for building permits are grandfathered in as they currently exist"; recommends that the Ordinance be placed on file.

On motion by Alderperson Hanna and second by Alderperson VanderWeele, the Report of Committee was accepted and adopted and the Ordinance was filed, on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Hanna, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Sampson, Van Akkeren, Vander Weele, Versey – 15.

Nays: None.

R. C. No. 67 - 11 - 12. By FINANCE. June 20, 2011.

Your Committee to whom was referred R. C. No. 26-11-12 by Public Works and a copy of Gen. Ord. No. 4-11-12 by Alderperson Hammond creating Subsection 122-98(e) of the Municipal Code relating to deferral of a portion of certain second-side water main special assessments for single-family residential corner lots in an SR-5 zoning district; recommends that the documents be placed on file.

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

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Hanna, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Sampson, Van Akkeren, Vander Weele – 14.

Nays: Versey – 1.

R. C. No. 68 - 11 - 12. By PUBLIC WORKS. June 20, 2011.

Your Committee to whom was referred the following:

1. R. O. No. 68-11-12 by the Deputy Director of Public Works submitting bids for the new Toilet Facilities and Pavilions – Cleveland, Veterans and Optimist Parks;
2. Res. No. 27-11-12 by Alderperson Bohren authorizing the appropriate City Officials to enter into contract with Quasius Construction for the construction of new facilities at Cleveland, Veterans and Optimist Parks;

recommends that the Report of Officer be accepted and placed on file and the Resolution be passed.

Was accepted and adopted.

***R. C. No. 69 - 11 - 12. By PUBLIC WORKS. June 20, 2011.**

Your Committee to whom was referred the following:

1. R. O. No. 69-11-12 by the Purchasing Agent submitting the results of a bid to purchase one replacement 6,000# capacity LP-Gas powered forklift truck and accessories for use at the Municipal Service Building;
2. Res. No. 28-11-12 by Alderperson Bohren authorizing the Purchasing Agent to enter into contract with Wisconsin Lift Truck, Inc., for the purchase of one (1) 6,000# Capacity LP-Gas powered lift truck for use at the Municipal Service Building;

recommends that the Report of Officer be accepted and placed on file and the Resolution be passed.

R. C. No. 70 - 11 - 12. By FINANCE. June 20, 2011.

Your Committee to whom was referred Res. No. 25-11-12 by Alderperson Hammond to authorize a transfer of appropriations in the 2011 Budget (establishing revenue and appropriation for State of Wisconsin Department of Revenue grant for a conservation plan for the Schuchardt property); recommends that the Resolution be passed.

Was accepted and adopted.

R. C. No. 71 - 11 - 12. By FINANCE. June 20, 2011.

Your Committee to whom was referred Res. No. 26-11-12 by Alderperson Bohren authorizing execution of the buyout provision in the Renewable Electrical Generation Agreement with Wisconsin Power & Light Company; recommends that the Resolution be passed.

Was accepted and adopted.

R. C. No. 72 - 11 - 12. By FINANCE. June 20, 2011.

Your Committee to whom was referred R. C. No. 36-11-12 by Finance to whom was referred Gen. Ord. No. 4-11-12 by Alderperson Hammond creating Subsection 122-98(e) of the Municipal Code relating to deferral of a portion of certain second-side water main special assessments for single-family residential corner lots in an SR-5 zoning district; recommends that the attached Substitute of the Substitute Ordinance be passed.

Was accepted and adopted.

RESOLUTIONS ON SECOND READING

Res. No. 27 - 11 - 12. By Alderperson Bohren. June 6, 2011.

A RESOLUTION authorizing the appropriate City Officials to enter into contract with Quasius Construction, Sheboygan, Wisconsin, for the construction of New Toilet Facilities and Pavilions at Cleveland Park, Veterans Park and Optimist Park as proposed in the 2011 Capital Improvements Program.

WHEREAS, these facilities were identified and prioritized through staff recommendations, Parks and Forestry Commissions and the Capital Improvements Program as facilities in need of upgrading and improving handicap accessibility.

RESOLVED: That the appropriate City Officials to enter into contract with Quasius Construction, Sheboygan, Wisconsin, for the construction of New Toilet Facilities and Pavilions at Cleveland Park, Veterans Park and Optimist Park with a low bid

amount of \$510,530 and are directed to make payments from the 2011 Capital Improvements Program account number 47153000-621100.

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

Ayes: Boeldt, Bohren, Carlson, Dekker, Hanna, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Sampson, Van Akkeren, Vander Wee, Versey – 14.

Nays: None.

Abstain: Hammond – 1.

***Res. No. 28 - 11 - 12. By Alderperson Bohren. June 6, 2011.**

A RESOLUTION authorizing the Purchasing Agent to enter into contract with Wisconsin Lift Truck Inc. for the purchase of one (1) 2011 Model Doosan G30P 6000# Capacity LP-Gas powered lift truck for use at the Municipal Service Building.

RESOLVED: That the Purchasing Agent is hereby authorized to execute a Purchase order in the amount of \$ 28,429.00 in accordance with bid #1573-11.

BE IT FURTHER RESOLVED: That the appropriate City officials are authorized to draw the funds from Account# 70136100-641200 to complete the purchase.

Res. No. 25 – 11 – 12. By Alderperson Hammond. June 6, 2011.

A RESOLUTION to authorize a transfer of appropriations in the 2011 Budget.

RESOLVED: That the Finance Director be and is hereby authorized and directed to make the following transfers of appropriations in the 2011 Budget for the purposes of:

Establishing estimated revenue and appropriation for State of Wisconsin Department of Revenue grant for the purpose of developing a conservation plan for 177 acres on the Schuchardt property:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Capital Projects Fund	Capital Projects Fund	
Natural Resources Grant	Contractual Services	
40061100-434211	40061100-521900	\$40,000

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

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Hanna, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Sampson, Van Akkeren, Vander Wee, Versey – 15.

Nays: None.

Res. No. 26 - 11 - 12. By Alderperson Bohren. June 6, 2011.

A RESOLUTION authorizing execution of the buyout provision in the Renewable Electrical Generation Agreement with Wisconsin Power & Light Company.

WHEREAS, the City entered into an agreement with Wisconsin Power & Light Company (Alliant Energy) in June of 2005 outlining the terms of the installation and operation of 10 microturbine generators at the wastewater treatment plant,

WHEREAS, the City has since added additional generation capacity at the wastewater plant and continues to use the gas developed in the treatment processes to meet electrical energy needs,

WHEREAS, the terms of 2005 agreement includes a provision for the purchase of the original equipment at the end of the 6 year contract term for an amount of \$98,598 and

WHEREAS, the buyout will allow the City to utilize the energy generated from the equipment without change with payback period estimated at less than 2 years.

RESOLVED: That the appropriate City Official is authorized to execute the buyout provision of the June 29, 2005 Renewable Electrical Generation Agreement and to make payment for same from the Wastewater Fund account no. 6013830-980099.

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

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Hanna, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Sampson, Van Akkeren, Vander Wee, Versey – 15.

Nays: None.

ORDINANCE ON SECOND READING

***Gen. Ord. No. 3 - 11 - 12. By Alderpersons Sampson and Matichek. May 2, 2011.**

AN ORDINANCE granting Joint Venture Rentals, LLC, its successors and assigns, the privilege of encroaching upon described portions of Michigan Ave. located at 920 Michigan Avenue, in the City of Sheboygan for the purpose of installing and maintaining a doorway.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Subject to the terms and conditions contained herein, Joint Venture Rentals, LLC, its successors and assigns, is hereby granted the privilege of encroaching for the purpose of installing and maintaining a doorway into that part of Michigan Ave. right-of-way adjacent to Lot 9 and 10 of Block 45, Original Plat of the City of Sheboygan, located in Sect. 23, T.15N., R.23E., City of Sheboygan, Sheboygan County, Wisconsin being more particularly described as follows:

Commencing at the Southwest corner of said lot 9 block 45, thence East along the south line of said lot 9 also being the north line of north Michigan Avenue 56.00 feet to the point of beginning, thence south 3.00 feet, thence east 8.00 feet, thence north 3.0 feet to the north line of Michigan Avenue, thence west along said north line 8.00 feet to the point of beginning.

Said parcel contains 24 sq. ft., in accordance with the sketch attached hereto and made a part hereof.

Section 2. The privilege as granted above is granted only on the condition that by the acceptance of the privilege, the said Joint Venture Rentals, LLC, its successors and assigns:

a. Shall become primarily responsible and liable for all and any damage to persons or property caused by and arising from the grant and exercise of such privilege.

b. Shall remove the encroachment allowed herein within ten (10) days after notice so to remove given by the State of Wisconsin or the City of Sheboygan; in the event of the failure so to remove, the said Joint Venture Rentals, LLC, its successors and assigns: shall pay the costs of removal by the State of Wisconsin or the City of Sheboygan, waiving all claim or claims for damages resulting from such removal, whether the removal is done by the said Joint Venture Rentals, LLC, its successors and assigns, or by the State of Wisconsin or by the City of Sheboygan.

c. Shall pay such compensation to the City of Sheboygan for the grant of this privilege as may be determined by a board consisting of the Mayor, the Director of Public Works and the City Attorney; the compensation shall be paid into the General Fund.

d. Shall make such construction and/or alterations and maintain the same subject to the approval of the City Building Inspector and Director of Public Works, and shall waive the right to contest in any manner the validity of this ordinance or the amount of compensation charged.

Section 3. The provisions of §66.0425(1) thru (5) of the Wisconsin Statutes are incorporated herein by reference to all intents and purposes as if set out fully.

Section 4. The City Clerk is authorized and directed to record a certified copy of this ordinance in the office of the Register of Deeds for Sheboygan County, Wisconsin, the costs thereof to be charged to the General Fund.

Section 5. This ordinance shall take effect and be in full force from and after its passage and publication and upon payment of the consideration to be determined hereunder, provided, however, that in the event of failure to exercise the privilege herein granted and the payment of such consideration within six (6) months from the effective date hereof, then and in that event such privilege shall be rendered null and void.

Subs. of Subs. of Gen. Ord. No. 4 - 11 - 12. By Alderpersons Hammond, Bohren, Rindfleisch, Van Akkeren and Matichek. June 20, 2011.

AN ORDINANCE repealing and recreating Subsections 122-98(c)(2)b and c and Subsections 122-196(b)(2)b and c of the Municipal Code relating to water main and sanitary sewer special assessments for parcels abutting two or more streets so as to provide for a 220 foot credit for second sides of lots zoned for single or two-family residential use.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Subsections 122-98(c)(2)b and c of the Sheboygan Municipal Code entitled "Water main extensions" are hereby repealed and recreated to read as follows:

"Sec. 122-98. *Water main extensions.*

...
(c) ...
(2) ...

b. When the second side of the corner lot receives a water main, the second side shall be charged only for the water main in excess of 120 feet; provided however, that if said lot is zoned for single or two-family residential use, the second side shall be charged only for the water main in excess of 220 feet.

c. Any length over 120 feet (220 feet for lots zoned for single or two-family residential use) shall be assessed at \$25.00 per foot."

Section 2. Subsections 122-196(b)(2)b and c of the Sheboygan Municipal Code entitled "Sewer assessments" are hereby repealed and recreated to read as follows:

"Sec. 122-196. *Sewer assessments.*

...
(b) ...
(2) ...

b. When the second side of the corner lot receives a sewer, the second side shall be charged only for the sewer in excess of 120 feet; provided however, that if said lot is zoned for single or two-family residential use, the second side shall be charged only for the sewer in excess of 220 feet.

c. Any length over 120 feet (220 feet for lots zoned for single or two-family residential use) shall be assessed at \$24.00 per foot."

Section 3. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

On motion by Alderperson Hammond and second by Alderperson Hanna, the Substitute of the Substitute Ordinance was passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Hanna, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Sampson, Van Akkeren, Vander Weele, Versey – 15.

Nays: None.

MATTERS LAID OVER

Res. No. 21 - 11 - 12. By Alderperson Hammond. June 6, 2011.

A RESOLUTION approving the terms and conditions of the Ground Lease between the Redevelopment Authority and Sheboygan County Chamber of Commerce, Inc.

RESOLVED: That the City of Sheboygan hereby approves the terms and conditions of the Ground Lease by and between the Redevelopment Authority and Sheboygan County Chamber of Commerce, Inc., in form substantially similar to the document attached hereto and incorporated herein by this reference.

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

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Hanna, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Sampson, Van Akkeren, Vander Weele, Versey – 15.

Nays: None.

Res. No. 22 - 11 - 12. By Alderpersons Hammond, Matichek and Van Akkeren. June 6, 2011.

A RESOLUTION to authorize a transfer of appropriations in the 2011 Budget.

RESOLVED: That the Finance Director be and is hereby authorized and directed to make the following transfers of appropriations in the 2011 Budget for the purposes of:

Establishing advance for professional services to establish TIF Funds 14 and 15. Advance to be repaid with future increments:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
General Fund Advance to TID 14 10181300-811317	TID 14 Debt Service Fund Professional Services 31715100-521900	\$70,000
General Fund Advance to TID 15 10181300-811318	TID 15 Debt Service Fund Professional Services 31815100-521900	\$30,000

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

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Hanna, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Sampson, Van Akkeren, Vander Weele, Versey – 15.

Nays: None.

Res. No. 23 - 11 - 12. By Alderpersons Hammond, Matichek and Van Akkeren. June 6, 2011.

A RESOLUTION authorizing the City of Sheboygan to enter into a contract for audio visual equipment for the Council.

WHEREAS, members of the Common Council desire to have the documents projected on a screen rather than paper documents and to do so requires additional audio visual equipment, and

WHEREAS, Camera Corner has provided a quote to outfit the Council Room with visual projectors.

NOW THEREFORE BE IT RESOLVED: That the City of Sheboygan is hereby authorized to enter into contract with Camera Corner for providing audio visual equipment at a cost of \$18,000.

BE IT FURTHER RESOLVED: That the appropriate City officials are hereby authorized to draw orders on the Cable TV Audio Visual Equipment Account No. 27058110-642400 in payment of same.

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

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Hanna, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Sampson, Van Akkeren, Vander Weele, Versey – 15.

Nays: None.

Res. No. 24 - 11 - 12. By Alderpersons Hammond, Matichek and Van Akkeren. June 6, 2011.

A RESOLUTION to authorize a transfer of appropriations in the 2011 Budget.

RESOLVED: That the Finance Director be and is hereby authorized and directed to make the following transfers of appropriations in the 2011 Budget for the purposes of:

Establishing appropriation for audio visual equipment for the Common Council chambers

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Cable TV Fund	Cable TV Fund	
Fund Balance - Equipment	Audio Visual Equipment	
270-247020	27058110-642400	\$18,000

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

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Hanna, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Sampson, Van Akkeren, Vander Weele, Versey – 15.

Nays: None.

Gen. Ord. No. 11 - 11 - 12. By Alderperson Kittelson. June 6, 2011.

AN ORDINANCE creating Subsection 2-112(a)(4) of the Municipal Code relating to times of council meetings so as to set the time for the July 5, 2011 common council meeting at 5:30 p.m.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Subsection 2-112(a)(4) of the Sheboygan Municipal Code is hereby created to read as follows:

“Sec. 2-112. *Time of regular meetings.*

- (a) ...
- (4) The July 5, 2011 regular common council meeting shall be held at 5:30 p.m.”

Section 2. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect upon its passage and publication.

On motion by Alderperson Kittelson and second by Alderperson Bohren, the Ordinance was passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Hanna, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Sampson, Van Akkeren, Vander Weele, Versey – 15.

Nays: None.

CONVENE IN CLOSED SESSION

A Motion by Alderperson Rindfleisch and second by Alderperson Dekker to CONVENE IN CLOSED SESSION under the exemption provided in Sec. 19.85 (1) (e), Wis. Stats., for the purpose of deliberating the purchase of public property where competitive and bargaining reasons requires a closed session was passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Hanna, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Sampson, Van Akkeren, Vander Weele, Versey – 15.

Nays: None.

RECONVENE IN OPEN SESSION

A motion by Alderperson Hammond and second by Alderperson Boeldt to **RECONVENE IN OPEN SESSION.**

A motion was made by Alderperson Dekker and second by Alderperson Rindfleisch to reconsider the vote on R. C. No. 56-11-12 (Document 6-36) regarding the Youth Sailing Center request was lost on call of the roll:

Ayes: Carlson, Kath, Matichek, Sampson, Versey – 5.

Nays: Boeldt, Bohren, Dekker, Hammond, Hanna, Heidemann, Kittelson, Rindfleisch, Van Akkeren, VanderWeele – 10.

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

Mayor

City Clerk